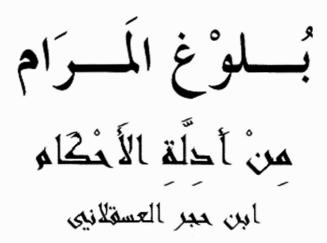
# Bulugh Al-Maram Min Adillat Al-Ahkâm

Compiled and referenced by IMĀM IBN HAJR (773 H - 852 H)



Translated by

Dr. Nancy Eweiss

Edited by

Selma Cook

### Dar Al-Manarah

For Translation, Publishing& Distribution El-Mansoura – Egypt -Tel Fax: 002050 / 2030254 Hand phone: 012 / 3605049 – P.O.BOX:35738 E. mail: almanarah400@hotmail.com Dar Al-Manarah for Translation, Publishing & Distribution 1424/2003

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without written permission from the publisher.

### Dar Al-Manarah

For Translation, Publishing& Distribution El-Mansoura – Egypt -Tel Fax: 002050 / 2030254 Hand phone: 012 / 3605049 – P.O.BOX:35738 E. mail: almanarah400@hotmail.com

Dar Al Kotob Library Number: 2003 / 7157

I.S.B.977 - 6005 - 24 - 1

بنير المالجمز الحينم

### CONTENTS

	Pag	ges
The Author's	Introduction	9
Translator's l	Introduction	11
Glossary		13
Rook of	Purification (a <u>t</u> - <u>T</u> ahârah)	
DOOK OI	rurincation (a <u>t-1</u> anaran)	
Chapter I:	Water	18
Chapter II:	Containers and Utensils	24
Chapter III:	The Cleansing of NaJasah and its nature	26
Chapter IV:	Ablution (Wu <u>d</u> û')	28
Chapter V:	Wiping over the Socks (Khuff)	36
Chapter VI:	Nullification of Ablution	39
Chapter VII:	Etiquettes of Relieving oneself	
	(going to the bathroom)	46
Chapter VIII		ι
	(ordinance) of the person in a state of major	
	ritual impurity (Junub)	52
Chapter IX:	Dry Ablution (at-Tayammum)	57
Chapter X:	Menstruation	61
Book of	Prayer	
		ce
Chapter I:	The times of prayer	66
Chapter II:	The Call to Prayer (Adhân)	74
Chapter III:	The Prerequisites of prayer	82
Chapter IV:	The Sutrah (or Partition) In Front of One,	00
	Who is Praying	89
Chapter V:	Encouraging (the Muslim) to be Humble	00
Chapter VII	during prayer	92
Chapter VI: Chapter VII:		95
	The Description of how Prayer is to be performed.	99
Chapter viii.	: Sujûd as-Sahu (Prostration due to forgetfulness during prayer)Other forms of Sujûd (prostration):	
	Prostration of Qur'anic Recital, and Prostration	
	of Thankfulness	26
Chapter IX:	Supererogatory (voluntary) Prayer	
Chapter X:	Congregational Prayer and The Position of Imâm.	
Chapter XI:	The Prayer of a Traveler and the Prayer	7.40
onapor m.	of the ill	158
Chapter XII:		

Chapter XIII	: Prayer During Times of Fear or Danger			
	(Salâtul Khauf)	174		
Chapter XIV:	The Prayer of the Two Îd Festivals	178		
Chapter XV:	The Prayer During a Solar Eclipse	183		
Chapter XVI:	: The Istisqâ' Prayer (invoking Allâh for rain			
	during drought)	186		
Chapter XVI	I: Clothing	191		
Book III: Funerals				
Book IV: Zakâh				
Chapter I:		214		
Chapter II:	Sadaqatul Fitr (Zakâh paid at the end			
O1 . TTT	of Ramadân)	225		
Chapter III:	Sadaqat at-Tatawu´ or Voluntary Charity	226		
Chapter IV:	Division of Zakâh (Zakâh recipients)	231		
Book V	: Fasting			
Chapter I:		235		
Chapter II:	Voluntary Fasting and Forbidden Days to Fast	245		
Chapter III:	I'tikâf and Night prayer (Tahajjud) in Rama <u>d</u> ân.	250		
Book VI	: The Pilgrimage			
Chapter I:	Its virtues and those upon whom Hajj			
-	(Pilgrimage) is obligatory	255		
Chapter II:	Mawâqît: Fixed Times and Places For Ihrâm	260		
Chapter III:	Kinds of Ihrâm	262		
Chapter IV:	The Etiquettes of Ihrâm	262		
Chapter V:	Description of <u>H</u> ajj Rituals and Entering			
	Makkah	268		
Chapter VI:	Missing the Pilgrimage or being detained			
	(I <u>h</u> - <u>s</u> âr)	283		
Book VI	II: Business Transactions			
Chapter I:	Conditions of Business Transactions and			
	Those which are Forbidden	285		
Chapter II:	Options (al-Khiyâr) in Business Dealings	303		
Chapter III:	Ribâ (Usury)	305		
Chapter IV:	Concession concerning 'Arâya (Lending some-			
	thing for use) and the sale of Trees and fruit	312		

Chapter V:	Payment in Advance (or Salam), Loan and	
_	Rahn (putting up Collateral)	315
Chapter VI:	Bankruptcy and Hajr	318
Chapter VII:	Reconciliation	323
Chapter VIII:		
-	a Debt) and Damân (Guaranteeing Payment).	324
Chapter IX:	Partnership and Agency	326
Chapter X:	Confession	328
Chapter XI:	Al-'Âriya (Lending something For use)	328
Chapter XII:	Ghasb (The return of wrongfully	
•	Taken property)	330
Chapter XIII:	Ash-Shuf'ah (Preempting the sale of a	
•	co-owner's Share to another)	333
Chapter XIV:	Al-Qirâd (Financing a Profit -sharing venture)	.335
Chapter XV:	Musâqâh (Watering grapes or dates for part	
-	of the crop) and Ijârah (A Contract for Hire	
	or Lease)	336
Chapter XVI:	Cultivation of a Barren Land(making it fertile)	.339
Chapter XVII	: Waqf (Endowment)	342
Chapter XVII	I: Gifts, 'Umrâ (Life-Tenancy) and Ruqbâ	344
Chapter XIX:	Luqatah (Lost and found items)	348
Chapter XX:	Inheritance	350
Chapter XXI:	Wills (Bequests)	355
Chapter XXII	: Wadî'ah (Trusts Deposited for Safekeeping)	358
Book V	VIII: Marriage	
Chapter I:		359
Chapter II:	Compatibility in Marriage and the Right	000
onapter 11.	to Choose	371
Chapter III:	Treatment of wives	377
Chapter IV:	The Dowry	
Chapter V:	The Wedding Banquet (Walîmah)	386
Chapter VI:	Sharing the Time (between two wives or more).	
Chapter VII:	Khul'a (Divorce at the Wife's instance By giving	
-	a payment to the husband)	394
Chapter VIII:	Divorce	396
Chapter IX:	Raj´ah (Taking Back A Divorced Wife)	403
Chapter X:	Ilâ', Dhihâr and Kaffârah (Expiation)	404
Chapter XI:	Li'ân	406
Chapter XII:	´Iddah and Ihdâd	411

Chapter XIII:	Ri <u>d</u> â´ (Becoming Unmarriageable Kin	
	By Suckling)	418
	Maintenance	
Chapter XV:	Child Care and Custody	425
Book IX	(: Crimes (Qi <u>s</u> â <u>s</u> or Retaliation)	
Chapter I:		429
Chapter II:	Types of Diyah (Blood money)	437
Chapter III:	Claiming the Right to Qisâs and Qasâmah	
	(taking an oath)	443
Chapter IV:	Fighting Transgressors (who rebel against	
	the ruler unjustly)	
Chapter V:	Fighting The Offender and Killing the Apostate.	447
Book	X: <u>H</u> udûd or Prescribed Penalties	
	in Islâmic Sharî'ah	
Chapter I:	The Prescribed Penalty (punishment)	
O1	for Fornication	450
Chapter II:	Penalty for Qadhf (Accusing a Person of Adultery without Proof)	450
Chapter III:	Penalty for Theft	
Chapter IV:	Penalty for Drinking and the Nature	400
Onapeci IV.	of Intoxicants	466
Chapter V:	Ta´zîr Discretionary punishment And Ordinano	
	Regarding An Assailant	
Book	XI: Jihâd	
Chapter I:		472
Chapter II:	Jizyah and Truces	
Chapter III:	Racing and Marksmanship	
-		
Book	XII: Food	
Chapter I:		494
Chapter II:	Hunting and Slaughtering	497
Chapter III:	Sacrifices on 'Îdul A <u>d-h</u> â	502
Chapter IV:	'Aqîqah	506
Book X	XII: Oaths and Vows	
Chapter I:		508

### Book XIV: Judgments

Chapter I:		517		
Chapter II:	Witnessing and Testimonies	521		
Chapter III:	Claims and Evidence	524		
Book XV: Book of Emancipation				
Chapter I:		529		
Chapter II:	Issues related to al-Mudabbar al-Mukâtib			
	and Umm al-Walad	533		
Book XVI: The Comprehensive Book				
Chapter I:	Good Manners (Adab)	536		
Chapter II:	Birr (Piety, righteousness, acts of goodness)			
•	and keeping ties with one's kin	541		
Chapter III:	Zuhd (Abstinence) and Piety	546		
Chapter IV:	Admonition Against Mischievous Conduct	550		
Chapter V:	Exhortation to have Good Morals	560		
Chapter VI:	Remembering Allâh and Supplication	565		

#### The Author's Introduction

All praise to Allâh, the Almighty for His open and concealed bounties, which He bestows at all times. May the peace and blessings of Allah be upon His final Messenger, his family and companions and all those who strive in the path of Allâh until the Day of Judgment, as well as their followers who inherited their knowledge for indeed the scholars (*Ulamâ'*) are the heirs of the Prophets! May Allâh, the Almighty bless them all and their followers.

This is a concise book comprising of <u>Hadîth</u>, which are sources of the *Sharîah*. I have made a meticulous compilation so that the one who memorizes it will excel among his peers. It may assist the beginner and the learned person who is seeking more knowledge.

I have indicated at the end of every  $\underline{H}ad\hat{\imath}th$  the  $Im\hat{a}m$  who collected it. I used the following abbreviations:

The seven *Imâms* refers to: Ahmad¹, Al-Bukhârî², Muslim³, Abû Dawûd⁴, At-Tirmidhî⁵, An-Nasâ'î⁰ and Ibn Mâjah².

The six *Imâms* refers to: Al-Bukhârî, Muslim, Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah.

The five *Imâms* refers to: Ahmad, Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah. They may also be referred to as: The four and Ahmad.

The four *Imâms* refers to: Abû Dawûd, At-Tirmidhî, An-Nasâ'î and Ibn Mâjah.

The three Imâms refers to: Abû Dawûd, At-Tirmidhî, An-Nasâ'î.

Ahmad Ibn Hanbal, born in 164 AH and died in Baghdad in 241 AH.

<sup>2-</sup> Muhammad bin Ismâîl Al-Bukhârî was born in 194 AH and died in Samarqand in 256 AH

Born in 204 AH and died in Naisâbor in 161.

<sup>4-</sup> Sulaimân bin Al-Ashath As-Sagistânî. Born in 202 and died in 275 AH in Al-Basrah.

Ahmad bin Shuaib, born in 215 and died 303.

Muhammad bin Iså died in 276b in Tirmidh.

<sup>7-</sup> Muhmammad bin Yazîd Al-Qazwînî, born in 207 and died in 275 AH.

Agreed upon<sup>8</sup> refers to: Al-Bukhârî and Muslim.

I have called this book: "Bulûgh al-Marâm min Adillat Al-Ahkâm" (Attainment of the Objective according to Evidence of the Legal Judgments); and I ask Allâh that what we have learnt may not be a calamity against us. May He guide us to act according to what pleases Him, the Almighty.

<sup>8-</sup> Agreed upon means: Ahâdîth accepted and agreed to by both Imâms Al-Bukhârî and Muslim.

#### Translator's Introduction

All praise is due to Allâh, the Lord of the Universe. We praise Him, seek His help, and ask His forgiveness. We seek refuge in Allâh from the evil of our souls, and the adverse consequences of our deeds. Whosoever Allâh guides, there is none that can misguide him, and whosoever He misguides, none can guide him.

I bear witness and testify that there is no deity that is worthy of worship except for Allâh, who is alone having no partners. I bear witness and testify that Muhammad is His perfect slave and Messenger.

Bulûgh al-Marâm is a book, which was written by  $Im\hat{a}m$  Ibn Hajar (773 H - 852 H) with the objective of compiling many of the  $A\underline{h}\hat{a}d\hat{t}th$  particularly related to the  $A\underline{h}k\hat{a}m$  (judgments) of Islâmic  $Shar\hat{i}'ah$ , i.e. those related to worship, business transactions, laws of marriage and divorce, legal punishments etc. This illustrates the importance of this book for the Muslim reader, who is always in need to know the judgments of  $Shar\hat{i}'ah$  related to the essential elements of his life.

Due to the importance of this book,  $Im\hat{a}m$  <u>As-S</u>an'ânî wrote a very good interpretation of the  $A\underline{h}\hat{a}d\hat{\imath}th$  in  $Bul\hat{\imath}gh$  al-Marâm in his famous book 'Subul as-Salâm." Needless to say that reading the  $A\underline{h}\hat{a}d\hat{\imath}th$  on their own as they are organized in 'Bul $\hat{\imath}gh$  al-Marâm', may be confusing sometimes as the reader may find that some of these  $A\underline{h}\hat{a}d\hat{\imath}th$  appear to be contradictory even though they may be of the same grade of authenticity. Therefore, we made use of some of the commentary of  $Im\hat{\imath}am$  <u>As-S</u>an'ânî, plus referring to some other books, which are relevant to the interpretation of  $\underline{H}ad\hat{\imath}th$ , in order to clarify any ambiguity that may arise. Hopefully these footnotes will make it easy for the reader to comprehend the essence of these  $A\underline{h}k\hat{\imath}am$  in Islâmic  $Shar\hat{\imath}ah$  and how they are deduced from the combination of these  $A\underline{h}\hat{\imath}a\hat{\imath}th$  and the relevant  $Qur'\hat{\imath}anic$  verses.

A glossary has been included to clarify the meaning of some of the terminology used throughout it. Needless to say that this terminology is specifically related to Islâmic concepts of which there is no synonym in English. For this reason they were used in Arabic Transliteration so that the non-Arabic speaking Muslim reader will become familiar with them, and hopefully such words and expressions will be adopted into everyday speech. One English word could never convey the whole concept and depth of the Arabic term.

Bulûgh al-Marâm was previously translated, with good effort by  $D\hat{a}r$  al-Fikr in Syria, but the language of the book required some refining plus there is a need for explanatory footnotes to help in the comprehension and understanding of the  $A\underline{h}\hat{a}d\hat{i}th$  as mentioned earlier.

I am deeply grateful to Dr. al-Khushû'î Muhammad al-Khushû'î, who is a scholar of <u>Hadîth</u> and its sciences at Al-Azhar University, Faculty of 'Usûl ad-Dîn', for his great help with the commentaries included in this edition and his valuable guidance throughout the whole work.

I would like to express my deep gratitude and appreciation to my editor sister Selma Cook, as she is not just a language editor, she reads with the eye and heart of a Muslim who tries to understand, analyze and comment on what she is reading. Her valuable discussions over the content of the book are always a source of inspiration for more valuable additions in explanatory footnotes and in the *Hadîth* text itself. This is very important for editors of such specialized books that could not be edited by someone who does not have a good background in Islâmic knowledge and the interest and desire to understand what they are not familiar with.

Finally, I must say that this remains a human effort which can never achieve perfection, and any comments from the reader will be much appreciated and will be considered Inshâ' Allâh in coming editions. I would like to thank all who helped to publish this book. I pray that Allah, the Almighty accepts our efforts, as sincere deeds are done solely for His sake.

Indeed, any deeds performed without sincerity in Allah's cause are lost and have no value. May Allah guide and keep us all on His straight path.

Translator

Dr. Nancy Eweiss 21/10/2003 N.B. What is written between bracksets is used to clarify the meanings of the words in the <u>H</u>adîth and not part of the text said by the Prophet . The words of the Prophet are written in bold, as in contrast to what is narrated by the Companions.

### Glossary

🗱: Peace and blessings of Allâh be upon him.

RAA: May Allâh be pleased with him/her.

'Asr prayer: Mid-afternoon prayer.

The Basmalah: The words: Bismillah-ir-Rahman-ir-Rahîm (In the name of Allâh, the Most Benificient, the Most Merciful), which is said before reading any Sûrah of the Qur'ân, including the. Fâtihah: (the opening chapter of the Qur'ân).

Bid'ah: Innovation in religion: in worship or fundamentals.

**Dhikr:** Words and phrases said to remember Allâh, the Almighty and His greatness.

Dhuhr prayer: Noon prayer.

Diyah: Blood money or indemnity.

Fajr prayer: Dawn or early-morning prayer before sunrise.

**Ghusl:** The full ritual washing of the body with water alone – after a legal impurity such as sexual intercourse, to cleanse oneself after menses or post childbirth bleeding has finished. To purify oneself for the purpose of performing prayer. It is also performed for the dead, before they are buried.

**Hadîth:** Prophetic tradition, pl. A<u>h</u>âdîth.

**Hadîth Hasan:** It is a <u>h</u>adîth reported by a reliable chain of narrators but does not reach the grade of the Hadîth Sahîh, which is rendered thus due to the strong memory of its narrators.

**Hadith Mawqûf:** is that in which the narration of the companion does not connect to the Prophet **½**, so it is restricted to the companion alone.

Hadîth Marfû': is that which is reported with a full chain of narrators, and is connected to the Prophet ...

Hadith Mu'allaq: is that in which the reporter omits the whole Isnâd and quotes the Prophet & directly.

Hadîth Mursal: is that in which the link between the Successor (Tâbi'î) and the Prophet is missing.

**Hadîth Sahîh:** is an authentic <u>H</u>adîth, which is related by an unbroken chain of narrators, and its reporters are all trustworthy, having good and strong memories.

Halâl: lawful.

Harâm: unlawful

**Hudûd:** plural of <u>H</u>add. It refers to the prescribed penalties (punishments) in Islâmic Sharî'ah.

**Hukm:** a judgment or a legal decision (as specified by Allâh), or a legal opinion, pl. **Ahkâm**.

'Îd: means a festival. There are two major festivals in Islâm, one at the end of Ramadân ('Îdul Fitr) and the other on the day of sacrifice in <u>Hajj</u> ('Îdul Ad-hâ), on the 10th of Dhul <u>Hijj</u>ah.

**Iddah:** the period of time that a woman waits after her divorce or the death of her husband (before remarrying).

Ihrâm: is the intention to perform either <u>H</u>ajj or 'Umrah, or both, as well as a state in which certain practices are prohibited such as wearing sewn garments for men, sexual intercourse, hunting and using perfume (for more details refer to books of Fiqh). Ihrâm also refers to the white garments that men wear when making the intention to perform hajj or 'Umrah which are called the Izâr (the dress worn below one's waist) and the Ridâ' (the cloth worn round the shoulders).

**Iqâmah:** the call to perform prayer, which is said just before the prayer begins.

**Ishâ' prayer:** night prayer which takes place about one hour and a half after the Maghrib prayer.

Isnâd: chain of narrators.

**Istihâdah:** a prolonged flow of blood, which is not a part of the regular menstrual period.

**Izâr:** a waist sheet, which is used to cover the lower part of the body.

**Janâbah:** a state of major ritual impurity, due to sexual intercourse or having a wet dream.

**Jizyah:** poll tax paid by non-Muslims citizens who are staying in a Muslim land, in return for their protection, services provided etc. as they do not participate in fighting the enemy.

Junub: a person in a state of major ritual impurity, due to coitus.

**Khamr:** alcoholic drinks, intoxicants, narcotics etc.

**Khuff:** a kind of leather footwear, which covers the foot up to the ankles.

Khutbah: a sermon.

Maghrib prayer: sunset prayer.

**Mahram:** a male relative of a woman whom she cannot legally marry.

Muhrim: a person in a state of Ihrâm.

**Nâfilah:** optional or supererogatory worship in contrast to what is obligatory, but it is recommended or desirable to perform it. **pl. Nawâfil** 

**Najāsah:** an impurity, which Muslims must avoid and cleanse themselves of should it contaminate their clothes, body etc as the presence of such impurity renders their prayer invalid. These impurities include urine, feces, blood and others.

Najis: ritually impure.

**Qiblah:** the direction to which all Muslims turn their faces in prayer, which is towards the Ka'bah (al-Masjid al-<u>H</u>arâm) in Makkah.

Rabb: Lord of the Universe. The Creator, the Provider, the Sustainer.

Rak'ah: pl. Rak'ât. Prayer is made up of several rak'ât, which consists of one standing (while reciting the Qur'ân), one bowing and two acts of prostration.

Ribâ: usury.

**Sadaqah:** whatever is given in way of charity. Sometimes the same term is used to refer to the obligatory payment of Zakah.

**Sadaqatul Fitr:** sometimes referred to as Zakat-ul-fitr, which is the obligatory Zakah paid by every Muslim before the 'Îd prayer.

Sa 1: going between the mountains of As-Safa and Marwah seven times while performing the rituals of Hajj or Umrah.

**Salam:** buying in advance, which means that the sale of described goods or items to be delivered by the seller to the buyer at a certain time.

Sunnah: all the traditions and practices (sayings and actions) of the Prophet **%** The Sunnah is the second source of legislation for the Muslims, after the Qur'ân.

Tâhir: ritually pure.

At-Tahârah: (purification) in Islâmic Sharî'ah it refers to lifting a state of ritual impurity(<u>h</u>adath)removing najâsah.

A term, which refers to purifying the body (or one's clothes) from any substance, which is considered impure (Najâsah) that prevents him from performing his prayer. This <u>Tahârah may require washing only the private parts of the body (after going to the toilet)</u>, or washing the whole body after sexual intercourse. It could be performed with clean water or with dust in cases where water is not readily available.

Talbiyah: prescribed words to be said during pilgrimage. The Prophet 

made his talbiyah using these words: 'Lab-baika Allâhumma Lab-baik. Lab-baika la-Sharika laka lab-baik ...' (Here I am at Your service, O Allah! You have no partner).

**Tashahhud:** the Testification of faith, which is recited in the final sitting of the prayer.

Tawâf: circumambulation around the Ka'bah.

\*Umrah: a visit to Makkah at any time of the year during which one performs Tawâf around the Ka'bah and Sa'î between the mountains of As-Safâ and Marwah seven times. (Sometimes it is called the minor or the lesser pilgrimage).

**Wall:** in marriage, a wall is the legal guardian of a woman who conducts her marriage, such as her father, her brother, her uncle etc.

Wasîlah: means through which one can get closer to Allâh. It also refers to a special status in Paradise reserved for only one servant among the slaves of Allâh. The Prophet said, "I hope to be him(i.e. that servant of Allâh)and whoever asks Allâh to grant me the status of Wasâlah' will be entitled to my intercession on the Day of Judgment."

**Zakâh:** a certain amount of one's property that is to be paid to certain recipients, who are mentioned in detail in the Qur'ân (9:60) under certain conditions. It is obligatory for every free Muslim who possesses any kind of property, which is liable to Zakâh.

# كِتَابُ الطَّهَارَةِ

### Book I: Purification (at-Tahârah)

### بَابُ الْمِـيَــاهِ Chapter I: Water

١ حَسنُ أَبِسِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فِي الْبَحْرِ : «هُوَ الطَّهُورُ مَاؤُهُ الْحِلُّ مَيْتَتُه». أخْرَجَهُ الأَرْبَعَةُ ، وَابْنُ أَبِي شَيْبَةَ وَاللَّهْظُ لَهُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالنَّرْمِذِيُّ ، [وَرَوَاهُ مَالِكٌ وَالشَّافِعِيُّ وَأَحْمَدُ] .

1. Abû Hurairah (RAA), narrated that the Prophet said, "Concerning the sea, its (the sea) water is pure (suitable for performing ablution) and its dead (animals) are lawful (Halâl to eat, without any prescribed slaughtering). It is related by the four Imâms<sup>9</sup> and Ibn Abî Shaibah (the text mentioned above is his). Ibn Khuzaimah and at-Tirmidhî graded it as Sahîh (authentic) [it was also reported by Mâlik, Shâhî and Ahmad].

٢ — وَعَنْ أَبِي سَعِيد الْحُدْرِيُّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلْيْهِ وَسَلَّمَ : «إِنَّ الْمَأَءَ طَهُورٌ لاَ يُنَجِّسُهُ شَيْءٌ». أخْرَجَهُ الثَّلاَئَةُ ، وَصَحَّحَهُ أَحْمَدُ .

Abû Sâ'ib al-Khudrî (RAA), narrated that Allâh's Messenger said, "Water is Tahûr (i.e. pure in itself and it purifies other things) and nothing defiles it<sup>10</sup>." Related by the three Imâms,<sup>11</sup> and Ahmad graded it as Sahîh (authentic).

<sup>9-</sup> Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

<sup>10.</sup> What is meant by the water in the <u>Hadîth</u>, is running water such as that of a river, or spring. It is considered pure, unless its smell, color or taste change by having had something thrown into it, as clarified in the following <u>Hadîth</u>.

Abû Dawûd, at-Tirmidhî, an-Nasâ'î.

٣ ـــ وَعَـــنْ أَبِي أَمَامَةَ الْبَاهِلِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «إِنَّ الْمَاءَ لاَ يُنجِّسُهُ شَيْءٌ ، إِلاَّ مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ وَلَوْنِهِ».
 أَخْرَجَهُ ابْنُ مَاجَهْ ، وَضَعَّفَهُ أَبُو حَاتِمٍ .

3. Narrated Abû Umâmah al-Bâhilî (RAA): Allâh's Messenger said, "Water is not defiled by anything, except for what changes (affects) its smell, taste or color." Related by Ibn Mâjah, but declared weak by Abû Hâtim.

4. Imâm al-Baihaqî reported (through his chain of narrators): "Water is <u>Tahûr</u> except when its smell, taste or odor is changed by a Najâsah, which affects it."

5. 'Abdullâh Ibn 'Umar (RAA), narrated that Allâh's Messenger said, "Any amount of water that is sufficient to fill two pitchers, is not easily contaminated by impurity (Najâsah)."<sup>12</sup> Another narration says: "It does not become impure."

Related by the four Imâms.<sup>13</sup> Ibn Khuzaimah, al-<u>H</u>âkim and Ibn Hibbân graded it as Sahîh.

6. Abû Hurairah (RAA), narrated that the Prophet said, "None of you should wash in stagnant water when he is

<sup>12.</sup> Unless this Najasah affects the color, taste or odor of the water.

<sup>13-</sup> This Hadîth is considered weak by most Hadîth scholars.

Junub (a state of major ritual impurity due to coitus). Reported by Imâm Muslim.

7. In another narration by al-Bukhârî (of the previous <u>Hadith</u>): The Prophet said, "None of you should urinate into stagnant (water that is not flowing), then wash in the same water."

8. In an another narration by Imâm Muslim and Abû Dawûd (of the same <u>Hadîth</u>) the Prophet said, "And should not wash in it because of being in a state of Janâbah (major impurity due to sexual relations).

9. A man who accompanied the Prophet \$\% \text{ narrated}\$, "The Messenger of Allâh \$\% \text{ forbade that a woman should wash with the water left over by the man or that the man should wash with the water left over by the woman; and they should use the water (scoop it from the same vessel) together (i.e. at the same time)." Reported by Abû-Dawûd and an-Nasâ'î with a sound chain of narrators.

10. Narrated Ibn 'Abbâs (RAA): "The Messenger of Allâh used to wash with the water left over by Maimûnah (RAA)." Reported by Muslim.

١١ ــ وَلَأَصْــحَابِ السُّــنَنِ : اغْتَسَلَ بَعْضُ أَزْوَاجِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي جَفْنَة ، فَجَاءَ يَغْتِسِلُ مِنْهَا ، فَقَالَت : إِنِّي كُنْتُ جُنْبًا فَقَالَ : «إِنَّ الْمَاءَ لاَ يُحْنِبُ».
 وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزْيْمَةَ .

11. The authors of the Sunan<sup>14</sup> transmitted that one of the wives<sup>15</sup> of the Prophet washed from a bowl, and when the Prophet came to wash from it (perform ablution or ghusl) she said, "I was junub (sexually impure)." He replied: "Water does not become impure." At-Tirmidhî and Ibn Khuzaimah graded it as Sahîh<sup>16</sup>.

١٢ - وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «طَهُــورُ إِنَاءِ أَحَدِكُمْ إِذَا وَلَغَ فِيهِ الْكَلْبُ أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ ، أُولاَهُنَّ بِالسَّتُرَابِ». أَخْــرَجَهُ مُسْــلِمٌ ، وَفِي لَفْظٍ لَهُ : «فَلْيُرِقْهُ» وَلِلْتُرْمِذِيِّ : «أُخْرَاهُنَّ ، أَوْلاَهُنَّ ،

12. Abû Hurairah (RAA), narrated that the Prophet ﷺ said, "If a dog laps the water from the utensil of anyone, purify it

<sup>14-</sup> The authors of the Sunan are: at-Tirmidhî, Abû-Dawûd, an-Nasâ'î, and Ibn-Mâjah.(Trans.).

<sup>15-</sup> Imâm ad-Dârqutnî reported her to be Maimûnah (RAA).

Most scholars of Figh, are of the opinion that it is permissible for the men to use the water left over by a woman and vice versa whether for wudû' (ablution) or ghusl, as both al-Bukhârî and Muslim reported on the authority of 'Â'ishah: "I used to wash with the Prophet 養 from the same bowl," and also for the Hadîth reported above (no. 11). This is also supported by the Hadîth reported by Muslim that the Prophet 寒 used to wash with the water left over by Maimûnah (no. 10). As for Hadîth no. 9 forbidding this act, the scholars said that it is not as strong as the other Ahâdîth, and even if they are equal in authenticity, it does not really indicate a strict prohibition. Imâm Khattâbî said that what is meant is forbidding men from using the water that she already used and not what is left over (i.e. clean), and some said that it is only preferable not to use what is left over and not actually prohibited, and Allâh knows best. (Trans.)

(the vessel) by washing it seven times, using earth<sup>17</sup> for the first washing". Reported by Muslim, with the addition:"He must spill it<sup>18</sup>." Imâm at-Tirmidhî also related it with the addition: "The first or the last (washing)."

١٣ - وَعَــنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَـــالَ - فِـــي الْهِـــرَّةِ - : «إِنَّهَا لَيْسَتْ بِنَجَسٍ ، إِنَّمَا هِيَ مِنَ الطُّوَّافِينَ عَلَيْكُمْ».
 أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ خُزَيْمَةَ .

13. Abû Qatâdah (RAA), narrated that Allâh's Messenger said concerning cats, "It is not impure (Najis), it is one of those who live among you." Related by the four Imâms. At-Tirmidhî and Ibn Khuzaimah graded it as <u>Sahîh</u>.

١٤ - وَعَنْ أَنَسِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «حَاءَ أَعْرَابِيٌّ فَبَالَ فِي طَائِفَة الْمَسْجِد ، فَزَحَرَهُ النَّاسُ ، فَنَهَاهُمْ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمَّا أَقْصَى بَوْلَهُ أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمَّا أَقْصَى بَوْلَهُ أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِذَنُوبٍ مِنْ مَاءِ ، فَأَهْرِيقَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ وَسَلَّمَ بِذَنُوبٍ مِنْ مَاءٍ ، فَأَهْرِيقَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

14. Narrated Anas Ibn Målik (RAA), "A Bedouin came and started to urinate in one of the corners of the mosque and the people then rebuked him, but the Prophet stopped them. When the man had finished, the Prophet ordered them to pour a (large) bucket of water over the urine "Agreed upon (Related by al-Bukhârî and Muslim).

١٥ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «أُحِلَّتْ لَنَا مَيْتَتَانِ وَدَمَانِ ، فَأَمَّا المَيْتَتَانِ : فَالْحَرَادُ وَالْحُوتُ ، وَأَمَّا الدَّمَانِ :

<sup>17-</sup> What is meant by earth here is mixing water with earth until it becomes muddy, and then washing the vessel with this mud the first time, until he is sure that there is no trace of the dog's saliva in the utensil.

<sup>18-</sup> i.e. the water in the vessel.

<sup>19-</sup> It must be noted here that the floor of the mosque was sandy, i.e. there were no tiles, so when the water was poured over the urine, it became soaked into the sand and did not remain inside the mosque.

فَالْطُحَالُ وَالْكَبِدُ». أَخْرَجَهُ أَحْمَدُ ، وَابْنُ مَاجَهُ ، وَفيه ضَعْفٌ .

15. Ibn Umar (RAA) narrated that Allâh's Messenger said, "Two types of dead animals<sup>20</sup> and two types of blood have been made lawful for us. The two types of dead animals are seafood and locusts, and the two types of blood are(the blood of) the liver and the spleen." Related by Ahmad and Ibn Mâjah but with a weak chain of narrators.

١٦ - وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْه وَسَــلّمَ : «إِذَا وَقَعَ الذَّبَابُ فِي شَرَابِ أَحَدِكُمْ فَلْيَغْمِسْهُ ، ثُمَّ لِيَنْزِعْهُ ، فَإِنَّ فِي أَحَد حَمَاحَيْهِ ذَاءٌ ، وَفِي الآخرِ شِفَاءً». أَخْرَجَهُ البُحَارِيُّ ، وَأَبُو دَاوُدَ ، وَزَادَ : «وَإِنَّهُ يَتَقيي جَنَاحَيْهِ ذَاءٌ ، وَفِي الآخرِ شِفَاءً». أَخْرَجَهُ البُحَارِيُّ ، وَأَبُو دَاوُدَ ، وَزَادَ : «وَإِنَّهُ يَتَقيي بِحَنَاحِهِ الذي فِيهِ الداءُ».

16. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, "If a housefly falls into the drink of anyone of you, he should dip it (all) in the liquid, for one of its wings has the disease, and the other has the cure.<sup>21</sup>" Bukhârî and Abû Dawûd related it. Abû Dawûd added in his narration, "It puts forward the one containing the disease.<sup>22</sup>"

١٧ ــ وَعَـــنْ أَبِي وَاقِد اللَّيْشِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَمَ : «مَـــا قُطِــعَ مِنَ الْبَهِيمَةِ - وَهِيَ حَيَّةٌ - فَهُوَ مَيِّتٌ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتَّرْمَذِيُّ ، وَحَسَّنَهُ ، وَاللَّهُظُ لَهُ .

 Narrated Abî Wâqid al-Laithy (RAA): The Messenger of Allâh said, "Whatever (any part) is cut off from a live

<sup>20-</sup> Dead here refers to dying from "natural causes," i.e. without the prescribed Islâmic slaughtering.

<sup>21-</sup> It is not meant in this <u>Hadith</u> that the person must drink the liquid in which the fly has fallen, the Prophet \$\mathscr{a}\$ is only guiding the Muslims to the way in which to protect themselves from being infected by microbes, should they want to continue drinking after throwing way the fly.

<sup>22-</sup> i.e. falls in the liquid with the wing containing the disease (the microbes) first.

animal is considered dead.<sup>23</sup> Related by Abû Dawûd and at-Tirmidhî who graded it as <u>H</u>asan and the wording is his.

### بَسابُ الآنيَسةِ

### Chapter II: Containers and Utensils

١٨ - عَــنْ حُدَيْفَةَ بْنِ الْيَمَانِ - رَضِيَ اللَّهُ عَنْهُمَا - ، قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَشْرَبُوا فِي آنِيَةِ الذَّهَبِ وَالْفَضَّةِ ، وَلاَ تَأْكُلُوا فِي صِحَافِهِمَا ، فَإِنَّهَا لَهُمْ فِي الدُّنْيَا ، وَلَكُمْ فِي الآخِرَةِ». مُتَّفَقٌ عَلَيْهِ .

18. Narrated Abû <u>Hudhaifah Ibn al-Yamân (RAA)</u>: The Messenger of Allâh said, "Do not drink from gold and silver vessels, and do not eat from gold and silver dishes, for they (disbelievers) have them in this world but you will have them in the Hereafter." Agreed upon(i.e. reported by al-Bukhârî and Muslim).

١٩ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - ، قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «الَّذِي يَشْرَبُ فِي إِنَّاءِ الْفِضَّةِ إِنَّمَا يُحَرِّجِرُ فِي بَطْنِهِ نَارَ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

19. Narrated Umm Salamah (RAA): The Messenger of Allâh said: "Whoever drinks from a silver vessel, is but filling his abdomen with Hell fire." Agreed upon.

20. Narrated Ibn 'Abbâs (RAA): The Messenger of Allâh said, "If the animal's skin is tanned, it becomes pure (Tâ-hir)." Reported by Muslim.

21. Narrated the four Imâms: "Tanning any skin(purifies it)

<sup>23-</sup> I.e. this part is considered like an animal, which has not been properly slaughtered, i.e. is dealt with as being Najâsah (impurity).

- ٢٢ ـــ وَعَـــنْ سُلَمُةَ بْنِ الْمُحَبِّقِ رُضِيَّ اللَّهُ عَنْهُ ، قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «دَبَاغُ جُلُود الْمَيْتَة طُهُورُهَا». صَحَّحَهُ ابْنُ حَبَّانَ .
- 22. Narrated Salamah bin al-Muhabbiq (RAA): The Messenger of Allâh said, "Tanning the skin of a dead animal purifies it." Ibn Hibbân authenticated it.
- ٢٣ \_ وَعَـــنْ مَيْمُونَةَ رَضِيَ اللَّهُ عَنْهَا ، قَالَتْ : مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِشَاةً يَجُرُّونَهَا ، فَقَالَ : «لَوْ أَخَذْتُمْ إِهَابَهَا؟». فَقَالُوا : إِنَّهَا مَيْنَةٌ ، فَقَالَ : «يُطَهِّرُهَا الْمَاءُ وَالْقَرَظُ» . أَخْرَجَهُ أَبُو دَاوُد ، وَالنَّسَائيُّ .
- 23. Narrated Maimûnah (RAA): The Prophet passed by a dead sheep being dragged along by (some people). Thereupon he said to them, "Why didn't you make use of its skin?" They told him, "It is a dead animal (i.e. had died a natural death, without being slaughtered)." He said to them , "Water and the leaves of mimosa flava purify it." Related by Abû Dawûd and an-Nasâ´î.
- ٢٤ \_\_ وَعَنْ أَبِي ثَعْلَبَةَ الْخُشَنِيِّ \_ رَضِيَ اللَّهُ عَنْهُ \_ ، قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنَّا بِأَرْضِ قَوْمٍ أَهْلِ كَتَابِ ، أَفَنَأْكُلُ فِي آنِيَتهِمْ ؟ قَالَ : «لاَ تَأْكُلُوا فِيهَا ، إِلاَّ أَنْ لاَ تَحَدُوا غَيْرَهَا ، فَاغْسِلُوهَا ، وَكُلُوا فِيهَا». مُثَّفَقٌ عَلَيْهِ .
- 24. Narrated Abû Tha labah al-Khushanî (RAA): I said, "O Messenger of Allâh, we are living in a land belonging to the people of the Book, so can we eat our meals with their utensils?" He replied , "Do not eat from their utensils, but if you cannot obtain utensils other than theirs, wash them and eat out of them." Agreed upon.
- ٢٥ \_\_ وَعَـــنْ عِمْــرَانَ بْنِ حُصَيْنِ رَضِيَ اللّهُ عَنْهُ : «أَنَّ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَصْحَابَهُ تَوَضَّأُوا مِنْ مَزَادَةِ امْرَأَةٍ مُشْرِكَةٍ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .
- 25. Narrated Imrân bin <u>Husain</u> (RAA): "The Prophet and his companions performed ablution from a water-bag belonging to

an unbelieving woman." (This is a part of a long <u>Hadîth</u>). Agreed upon.

٢٦ ـــ وَعَــــنْ أَنْسِ بْنِ مَالِك – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ قَدَحَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ انْكَسَرَ ، فَاتَّخَذَ مَكَانَ الشَّعْبِ سِلْسِلَةً مِنْ فِضَّةٍ». أَخَرَجَهُ الْبُخَارِيُّ .

26. Narrated Anas Ibn Mâlik (RAA): "The drinking cup of the Prophet saw was broken, and he mended it with a silver chain..." Related by al-Bukhârî.

## بُسابُ إِزَالَــةِ النَّجَاسَــةِ، وَبَيَانِهَــا

#### Chapter III: The Cleansing of Najâsah and its nature

٢٧ عَنْ أَنَسِ بْنِ مَالِك - رَضِيَ اللّهُ عَنْهُ - قَالَ : سُئِلَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَــــلَّمَ عَنِ الْخَمْرِ ، تُتَّخَذُ خَلاّ ؟ قَالَ : «لاّ». أَخْرَجَهُ مُسْلِمٌ وَالتّرْمِذِيُّ ، وَقَالَ : حَسَنٌ صَحِيحٌ.

27. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger sa saked about the use of Khamr from which vinegar is prepared. He said, "No (it is prohibited)." Related by Muslim and at-Tirmidhî who graded it as *Hasan*.

٢٨ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَمَّا كَانَ يَوْمُ خَيْبَرَ ، أَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى فَا عَنْهُ عَنْهُ عَنْ لُحُومٍ اللَّهِ عَلَى إِنَّ اللهَ وَرَسُولَهُ يَنْهَيَانِكُمْ عَنْ لُحُومٍ الْحُمُرِ اللَّمْلِيَّةِ ، فَإِنَّهَا رِجْسٌ». مُثَّفَقٌ عَلَيْهِ .
 الأَمْلِيَّةِ ، فَإِنَّهَا رِجْسٌ». مُثَّفَقٌ عَلَيْهِ .

28. Narrated Anas Ibn Mâlik (RAA): "On the day of Khaibar, the Prophet se commanded Abû Talhah<sup>24</sup> to make an announcement, so he called out saying, "Allâh and His Messenger se prohibit you from eating the flesh of domestic donkeys, for it is considered as Rijs<sup>25</sup> (impure food)." Agreed upon.

<sup>24-</sup> He is Zaid Ibn Sahl al-Angarî, who married Umm Sulaim (the mother of Anas (RAA)), on the condition that he embraces Islâm first.

<sup>25-</sup> Rijs refers to anything which is impure, filthy, abominable etc.

٢٩ ــ وَعَـــنْ عَمْرو بْنِ خَارِحَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَطَبَنَا النَّبِيُّ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ بِمِنَى ، وَهُوَ عَلَى رَاحِلَتِهِ ، وَلُعَابُهَا يَسِيلُ عَلَى كَتِفِي». أَخْرَجَهُ أَحْمَدُ وَالتَّرْمَذِيُّ وَصَحَّحَهُ .

29. Narrated 'Amro Ibn Khârijah (RAA): "The Messenger of Allâh & addressed us in Mina, while riding his camel and its saliva was flowing onto my shoulder." Ahmad and at-Tirmidhî related it, and the latter authenticated it.

٣٠ \_ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَغْسَـــلُ الْمَنِيَّ ، ثُمَّ يَخْرُجُ إِلَى الصَّلاَةِ فِي ذَلِكَ الثَّوْبِ ، وَأَنَا أَنْظُرُ إِلَى أَثْرِ الْغُسْلِ». مُتَّفَقٌ عَلَيْهِ .

30. Narrated 'Â'ishah (RAA): "Allâh's Messenger ﷺ used to wash the semen (off his clothes), and then go out to prayer in the same garment. I used to see the mark of the washing (on his clothes)." Agreed upon.

٣١ ـــ وَلِمُسْــلِمٌ : «لَقَـــدْ كُنْتُ أَفْرُكُهُ مِنْ تَوْبِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَرْكًا، فَيُصَلِّي فِيهِ».

31. In another version narrated by Muslim she said: "I used to rub it (the semen) off the garment of the Prophet , and then he would pray in it."

32. In another version narrated also by Muslim, she said: "I used to scrape it with my nail from his garment, when it had dried."

٣٣ ــ وَعَـــنْ أَبِي السَّمْحِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «يُغْسَـــلُ مِنْ بَوْلِ الجَارِيَةِ ، وَيُرَشُ مِنْ بَوْلِ الْغُلاَمِ». أَخْرَجَهُ أَبُو دَاوُد ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ . 33. Narrated Abî as-Samh(RAA)<sup>26</sup>: The Messenger of Allâh ﷺ said, "The urine of a baby girl should be washed off (one's clothes), while the urine of a baby boy needs only water to be sprinkled over it.<sup>27</sup>" Related by Abû Dawûd and an-Nasâ'î; al-<u>H</u>âkim graded it as <u>Sah</u>îh.

٣٤ \_ وَعَــنْ أَسْمَاءَ بِنْتَ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ - فِي دَمِ الْحَيْضِ يُصِيبُ الثَّوْبَ - : «تَحْتُهُ ، ثُمَّ تَقْرُضُهُ بِالْمَاءِ ، ثُمَّ تَنْضَحُهُ ، ثُمَّ تُصَلِّي فِيهِ». مُتَّفَقٌ عَلَيْه .

34. Narrated Asmâ' bint Abî Bakr (RAA): The Messenger of Allâh said concerning menstrual blood, when it contaminates one's clothes, "She should scrape it, rub it with water and sprinkle water over it, and then pray in it." Agreed upon.

٣٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَتْ خَوْلَةُ : يَا رَسُولَ اللَّهِ ، فَإِنْ لَــــمْ يَذْهَـــب الدَّمُ ؟ قَالَ : «يَكُفِيكِ الْمَاءُ ، وَلاَ يَضُرُّكِ أَثْرُهُ». أَخْرَجَهُ التَّرْمِذِيُّ ، وَسَنَدُهُ ضَعِيفٌ .

35. Narrated Abû Hurairah (RAA): Khawlah asked, "Allâh's Messenger, what if the blood of menses does not (completely) disappear?" He replied, "Water would be sufficient (to wash it) and there is no harm if a trace (of the blood) remains (on the clothes)." Related by at-Tirmidhî, with a weak chain of narrators.

### بَــابُ الْوُضُــوءِ Chapter IV: Ablution (Wudû')

٣٦ ـــ عَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «لَوْلاَ أَنْ أَشُقَّ عَلَىَ أُمَّتِي لأَمَرْتُهُمْ بِالسَّوَاكِ مَعَ كُلِّ وُضُوءٍ». أَخْرَجَهُ مَالِكُ

<sup>26-</sup> He is a Iâd; the servant of the Prophet %.

<sup>27-</sup> This refers only to a male baby that has not yet begun to eat. If he eats food (besides breast milk) then the garment is to be washed."

وَأَحْمَدُ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيُّمَةً ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقًا .

36. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "If it were not too much of a burden on my nation, I would have ordered them to use the Siwâk with every ablution(they perform)." Related by Ahmad, Mâlik and an-Nasâ'î Ibn Khuzaimah graded it as Sahîh.

٣٧ \_ وَعَــنْ حُمْــرَانَ : «أَنَّ عُثْمَانَ دَعَا بِوَضُوء ، فَغَسَلَ كَفَّيْهِ ثَلاَثَ مَرَّات ، ثُمَّ تَمَضْــمَض ، وَاسْتَنْشَــت ، وَاسْتَنْشَر ، ثُمَّ غَسَلَ وَجْهَهُ ثَلاَثَ مَرَّات ، ثُمَّ غَسَلَ يَدَهُ الْيُصْـنَى إِلَى الْمَرْفَقِ ، ثَلاَثَ مَرَّات ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ مَسْتَح بِرَأْسِهِ ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ مَسْتَح بِرَأْسِهِ ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ مَسْتَح بِرَأْسِهِ ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ ، ثُمَّ مَسْتَح بِرَأْسِهِ ، ثُمَّ فَعَلَى وَسَلَّمَ مَرَّات ، ثُمَّ الْيُسْرَى مِثْلَ ذَلَك ، ثُمَّ قَالَ : مُسَلِّلَ اللَّهُ عَلَيْهِ وَسَلَّمَ تَوضَا أَنْحُو وَصُوبِي هَذَا». مُتَّفَقٌ عَلَيْهِ .

37. Narrated Humrân Ibn Ibbân<sup>29</sup> (RAA): Uthmân (RAA) called for  $Wud\hat{u}'$  (water to perform ablution). He then washed his hands three times, rinsed his mouth and sniffed water up his nostrils and blew it out. Then he washed his face three times, followed by his right arm up to(and including) the elbow three times, then his left arm up to (and including) the elbow three times. He then wiped his head (with wet hands), and washed his right foot up to (and including) the anklebones three times and then his left foot in the same way. Uthmân then said, "I saw the Prophet # make  $wud\hat{u}$ " (ablution) like this way of mine." Agreed upon.

٣٨ ــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فِي صِفَةِ وُضُوءِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «وَمَسَـــعَ بِرَأْسِهِ وَاحِدَةٌ». أَخْرَجَهُ أَبُو دَاوُدُ ، وَأَخْرَجَهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ بإسْنَادِ صَحِيح ، بَلْ قَالَ التَّرْمِذِيُّ : إِنَّهُ أَصَحُّ شَيْءٍ فِي الْبَابِ .

38. Narrated 'Alî (RAA): regarding the ablution of the Prophet **%**, "He wiped his head once." Related by Abû Dawûd. at-

<sup>28-</sup> The Siwâk (or the Miswâk) is a root taken from a small tree or a shrub called "al-Arâk".

<sup>29-</sup> The slave of 'Uthman Ibn 'Affan (RAA).

Tirmidhî and an-Nasâ'î also reported it with a sound chain of narrators.

٣٩ ــ وَعَنْ عَبْدِ اللّهِ بْنِ زَيْدِ بْنِ عَاصِمٍ - رَضِيَ اللّهُ عَنْهُمَا - فِي صِفَةِ الْوُضُوءِ - قَــالَ : «وَمَسَـــحَ رَسُــولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ بِرَأْسِهِ ، فَأَقْبَلَ بِيدَيْهِ وَأَدْبَرَ». مُتَّفَقٌ عَلَيْه .

39. Narrated 'Abdullâh bin Zaid bin 'Âsim (RAA): regarding ablution, "The Prophet wiped his head by sliding his hands back and forward again." Agreed upon.

٤٠ ـــ وَفِي لَفْظ لَهُمَا : «بَدَأ بِمُقَدَّمِ رَأْسِهِ ، حَتَّى ذَهَبَ بِهِمَا إِلَى قَفَاهُ ، ثُمَّ رَدَّهُمَا إِلَى الْمَكَانِ الَّذِي بَدَأ منْهُ».

40. In another narration by al-Bukhârî and Muslim: "He started with the front of his head, moved them (his hands) to the nape of the neck, and then returned them to the place where he started."

٤١ ــ وَعَـــنْ عَبْدِ اللّهِ بْنِ عَمْرو - رَضِيَ اللّهُ عَنْهُمَا - فِي صِفَةِ الْوُضُوءِ - قَالَ : «ثُـــمَّ مَسَــحَ بِرَأْسَهِ ، وَأَدْخَلَ إصْبَعَيْهِ السَّبَّاحَتَيْنِ فِي أُذُنَيْهِ ، وَمَسَـحَ بِإِبْهَامَيْهِ ظَاهِرَ أُذُنَيْهِ». أَحْرَجَهُ أَبُو دَاوُد وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

41. Narrated 'Abdullâh Ibn 'Amro (RAA): regarding the nature of ablution, "Then he wiped his head, put his little finger in his ears and wiped the outside of his ears with his thumbs. Related by Abû Dawûd and an-Nasâ'î. Ibn Khuzaimah authenticated it.

٤٢ - وَعَـــنْ أَبِـــي هُرَيْـــرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ قَلْيَسْتَنْثِر ثَلاَثًا ، فَإِنَّ الشَّيْطَانَ يَبِيتُ عَلَى

<sup>30-</sup> The purpose here is to wipe the entrance of the ear canal with the little finger.

<sup>31.</sup> In another narration by Ahmad, the Prophet # wiped the inner part of his ears with his index finger, and the outer portion with his thumb.

خَيْشُومِهِ». مُتَّفَقٌ عَلَيْهِ .

42. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "When one of you wakes up from sleep he must clear his nose<sup>32</sup> three times, as the devil spends the night in the upper part of his nose.<sup>33</sup>" Agreed jupon.

43. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "Whoever wakes up from his sleep, should not dip his hand into a bowl (containing water for ablution) until he has washed it three times, as he does not know where his hand was (during his sleep)." Related by al-Bukhârî and Muslim, and the wording is Muslim's.

٤٤ ـــ وَعَـــنْ لَقيطِ بْنِ صَبِرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «أَسْبِغِ الْوُضُوءَ ، وَخَلُلْ بَيْنَ الأَصَابِعِ ، وَبَالِغْ فِي الاسْتِنْشَاقِ ، إِلاَّ أَنْ تَكُونَ صَائمًا». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

44. Narrated Laqît bin Sabirah (RAA): The Messenger of Allâh said, "Complete and perfect the ablution, let the water run between the fingers. Use water freely while sniffing it up your nostrils, unless you are fasting." Related by the four Imâms. Ibn Khuzaimah graded it as authentic.

45. In another version by Abû Dawûd: " If your perform

<sup>32-</sup> With water as we perform the ablution, i.e. sniffed water up his nostrils and blew it out. In the narration of al-Bukhârî he says, "When one of you wakes up...... and performs ablution, he should clear .."

<sup>33-</sup> This fact is part of the unseen that only Allah knows, and we can only know it through His Prophet \$\frac{1}{25}\$. So we believe that the devil actually spends the night in this part of the nose even though we can not perceive how. (Trans.)

#### ablution, then rinse your mouth."

٢٦ \_\_ وَعَـــنْ عُثْمَانَ \_ رَضِيَ اللَّهُ تَعَالَى عَنْهُ \_ : «أَنَّ النَّبِيُّ صَلَى اللهُ عَلَيْهِ وَسَلْمَ
 كَانَ يُخَلِّلُ لَحْيَتَهُ في الْوُضُوء». أَخْرَجَهُ التَّرْمذيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

46. Narrated 'Uthmân (RAA): the Messenger of Allâh & would run his fingers through his beard, while making ablution. Related by at-Tirmidhî. Ibn Khuzaimah graded it as <u>Sahîh</u>.

٤٧ ــ وَعَنْ عَبْد اللّه بْنِ زَيْد قَالَ : «إِنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتِيَ بِتُلْثَيْ مُدُ ،
 فَحَعَلَ يَدْلُكُ ذِرَاعَيْهِ». أَخْرَجَهُ أَخْمَدُ وَصَحَّجَهُ ابْنُ خُزَيْمَة .

47. Narrated 'Abdullâh bin Zaid (RAA): the Prophet ﷺ was brought two thirds of a Mudd<sup>34</sup> (of water to perform ablution), and he rubbed his arms. Related by Ahmad and Ibn Khuzaimah graded it as <u>Sahîh</u>.

٤٨ ــ وَعَـــنْهُ : «أَنَّــهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْخُذُ لأَذُنَيْهِ مَاءً غَيْرَ الْمَاءِ اللَّه عَلَيْهِ وَسَلَّمَ يَأْخُذُ لأَذُنَيْهِ مَاءً غَيْرَ الْمَاءِ اللَّه عَلْدَ عَنْدَ مُسْلِمٍ مِنْ هَذَا الْوَجْهِ بِلَفْظِ : «وَمَسَحَ بِرَأْسِهِ بِمَاءٍ غَيْرٍ فَضْلِ يَدَيْه ، وَهُوَ الْمَحْفُوظُ».

48. Narrated 'Abdullâh bin Zaid (RAA): he saw the Prophet (performing ablution and he) took new water for his ears, apart from that which he had taken for his head. Related by al-Baihaqî. Muslim reported it with the words: "and he wiped his head with water other than that left over after washing his hands (i.e. new water)."35

٤٩ ــ وَعَـــنْ أَبِـــي هُرَيْرَةَ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ أُمَّتِي يَأْتُونَ يَوْمَ الْقَيَامَة غُرَّا مُحَجَّلِينَ ، مِنْ أَثَرِ الْوُضُوءِ ، فَمَنْ اسْتَطَاعَ مِنْكُمْ أَنْ يُطِيلَ غُرَّتَهُ فَلْيَفْعَلْ». مُتَّفَقَّ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

<sup>34-</sup> A measure of approximately 2/3 of a kilo.

<sup>35-</sup> It is permissible to wash the ears with the water used for the head, or to use new water for them. This is deduced from all the relevant Ahâdîth, which were reported concerning this issue.

49. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "My nation will come on the Day of Resurrection with bright streaks of light on their foreheads, arms and legs due to the traces of ablution.36 So, if any of you can lengthen his streaks of light, he should do so." Related by al-Bukhârî and Muslim and the wording is Muslim's.

50. Narrated 'Â'ishah (RAA): "Allâh's Messenger \$\mathbb{g}\$ loved to begin with his right side while putting on his sandals, combing his hair, purifying himself, and in all his affairs." Agreed upon.

51. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "When you perform ablution, begin with your right side." Related by the four Imâms. Ibn Khuzaimah graded it as <u>Sah</u>îh.

52. Narrated al-Mughîrah Ibn Shu´bah (RAA): the Messenger of Allâh samade ablution and wiped over his forelock, his turban and his socks. Related by Muslim.

٥٣ \_ وَعَـــنْ حَابِـــرِ بْنِ عَبْدِ اللّهِ - رَضِيَ اللّهُ تَعَالَى عَنْهُمَا - فِي صِفَةِ حَجِّ النّبِيِّ صَــَــلّى اللّهُ عَلَيْهِ وَسَلَّمَ : «ابْدَأُوا بِمَا بَدَأُ اللّهُ بِهِ». صَــــلّى اللّـــهُ عَلَـــيْهِ وَسَلَّمَ - قَالَ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «ابْدَأُوا بِمَا بَدَأُ اللّهُ بِهِ». أَخْرَجَهُ النَّسَائِيُّ هَكَذَا مِلَفْظِ الأَمْرِ ، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ الْخَبْرِ .

Narrated Jâbir Ibn 'Abdullâh (RAA): regarding the <u>Hajj</u>

<sup>36-</sup> This is due to washing more than what is obligatory of the face, arms and legs by washing above the elbows and ankles.

(pilgrimage) of the Prophet 囊, the Prophet 囊 said, "Begin with what Allâh began with." Related by an-Nasâ'î and Muslim.

٤٥ \_\_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا تَوَضَّأَ أَدَارَ الْمَاءَ عَلَى مِرْفَقَيْهِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بإِسْنَادِ ضَعِيفٍ .

54. Narrated Jâbir Ibn 'Abdullâh (RAA): "Whenever the Prophet appearance ablution, he used to let the flow water abundantly over his elbows." Related by ad-Dâraqutnî with a weak chain of narrators.

٥٥ \_\_ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لا وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ عَلَيْهِ». أخْرَجَهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ،
 وَابْنُ مَاجَهْ ، بِإِسْنَادِ ضَعِيفٍ .

55. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, "If anyone does not mention the name of Allâh at the beginning of his ablution, he will be considered as if he did not perform Wudû' (ablution)." Related by Ahmad, Abû Dawûd and Ibn Mâjah with a weak chain of narrators.

٥٦ ـــ ولِلْـــتِرْمِذِيِّ عَنْ سِعِيدِ بْنِ زَيْدٍ ، وَأَبِي سَعِيدٍ نَحْوُهُ ، قَالَ أَحْمَدُ : لاَ يَشْبُتُ فِيهِ شَيْءٌ .

56. At-Tirmidhî reported a similar narration on the authority of Sa´îd Ibn Zaid, and Abû Sa´îd, but Ahmad said that it is not authentic.

٥٧ \_\_ وَعَـــنْ طُلْحَةٌ بْنُ مُصَرِّف ، عَنْ أبيه ، عَنْ جَدَّهِ - رَضِيَ اللَّهُ عَنْهُ - قَال :
 «رَأَيْـــتُ رَسُــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَفْصِلُ بَيْنَ الْمَضْمَضَةِ وَالاسْتِنْشَاقِ».
 أُخْرَجَهُ أَبُو دَاوُدَ ، بإسْنَاد ضَعيف .

57. Narrated Talhah bin Musrrif through his father, on the authority of his grandfather<sup>37</sup> (RAA): "I saw the Messenger of Al-

<sup>37-</sup> He is Ka'b bin 'Amro al-Hamadânî, who is proven to have had companionship of the Prophet 3.

lâh ﷺ distinguish between rinsing his mouth and sniffing water up his nose (i.e. doing one after the other)." Related by Abû Dawûd with a weak chain of narrators.

٥٨ — وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فِي صِفَةِ الْوُضُوءِ - : «ثُمَّ تَمَضْمَضَ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ وَاسْتَنْشَرَ ثَلاَثًا ، يُمَضْمِضُ وَيَسْتَنْشِرُ مِنَ الْكَفَّ الَّذِي يَأْخُذُ مِنْهُ الْمَاءَ».
 أخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

58. Narrated 'Alî (RAA): regarding the ablution of the Prophet , "He rinsed his mouth and sniffed water up his nostrils and blew it out three times, rinsing his mouth and clearing the nose with the very same palm by which he had taken water." Related by Abû Dawûd and an-Nasâ'î.

٩٥ \_ وَعَـــنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ - فِي صِفَةِ الْوُضُوءِ - : «ثُمَّ أَدْخَلَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدَهُ ، فَمَضْمضَ وَاسْتَنْشَقُ مِنْ كَفَّ وَاحِدِ ، يَفْعَلُ ذَلِكَ ثَلاَثًا». مُتَّفَقٌ عَلَيْهِ .

59. Narrated 'Abdullâh bin Zaid (RAA): regarding ablution, "Then he inserted his hand (into the bowl), rinsed his mouth and sniffed water up his nostrils using one handful of water, doing this three times." Agreed upon.

٦٠ ــ وَعَـــنْ أَنَـــس - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : رَأَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُـــلاً، وَفِي قَدَمِهِ مِثْلُ الظُّفْرِ لَمْ يُصِبْهُ الْمَاءُ ، فَقَالَ : «ارْجِعْ فَأَحْسِنْ وُضُوءَكَ».
 أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

60. Narrated Anas (RAA): The Messenger of Allâh saw a man. There was a spot, much as the size of a nail on his foot, which had been touched by the water (of ablution). The Prophet then said to him: "Go back and perform ablution properly." Related by Abû Dawûd and an-Nasâ'î.

٦١ ـــ وَعَـــنْهُ - رَضــــيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 يَتَوَضَّأُ بِالْمُدِّ ، وَيَغْتَسِلُ بِالصَّاعِ ، إِلَى خَمْسَةِ أَمْدَادٍ». مُتَّفَقٌ عَلَيْهِ .

61. Narrated Anas (RAA): The Messenger of Allâh ﷺ used to

perform ablution with a Mudd, and perform Ghusl with a  $S\hat{a}$ , 38 up to five Mudds. Agreed upon.

٦٢ - وَعَـنْ عُمَـرَ - رَضِـيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَم : «مَـا مِنْكُمْ مِنْ أَحَد يَتَوَضَّأَ، فَيُسْبِغُ الْوُضُوءَ ، ثُمَّ يَقُولُ : أَشْهَدُ أَنْ لاَ إِلَهَ وَسَـلَم : وَمَـا مِنْكُمْ مِنْ أَحَد يَتَوَضَّأَ، فَيُسْبِغُ الْوُضُوءَ ، ثُمَّ يَقُولُ : أَشْهَدُ أَنْ لاَ إِلَهُ إِلاَّ اللَّـهُ وَرَسُولُهُ ، إِلاَّ فُتحَتْ لَهُ إِلاَّ اللَّـهُ وَرَسُولُهُ ، إِلاَّ فُتحَتْ لَهُ أَبْ وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ ، إِلاَّ فُتحَتْ لَهُ أَبِّ اللَّهُ وَاللَّهُ مَا اللَّهُ اللهُ عَلَى مِنَ الْمُتَطَهِّرِينَ».

62. Narrated 'Umar (RAA): The Messenger of Allâh said, "If anyone performs ablution, perfectly, then says, 'I testify that none has the right to be worshipped but Allâh, the One Who has no partner, and I testify that Muhammad is His servant and His Messenger,' the eight gates of Paradise will be opened for him and he may enter by whichever of them he wishes." Reported by Muslim and at-Tirmidhî.

# بَابُ الْمَسْحِ عَلَى الْخُفَّيْنِ

### Chapter V: Wiping over the Socks (Khuff)39

٦٣ \_ عَـــنِ الْمُغيرَةِ بْنِ شُغْبَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ ، فَتَوَضَّأَ ، فَأَهْوَيْتُ لأَنْزِعَ خُقَّيْهِ ، فَقَالَ : «دَعْهُمَا ، فَإِنِّي أَدْخَلْتُهُمَا طَاهِرَتَيْنِ» فَمَسَحَ عَلَيْهِمَا. مُتَّفَقٌ عَلَيْهِ .

63. Al-Mughîrah bin Shu'bah (RAA) said: "I was with the Prophet & (during an expedition). He started to perform ablution and I was about to remove his socks (the khuff), when he said,

<sup>38-</sup> One <u>S</u>â´ = 4 Mudds, i.e. approximately 3 kg.

<sup>39-</sup> The "Khuff" is leather foot-wear, which covers the ankles. They used to walk in it, with nothing worn on top of it. They also used to pray in this khuff after rubbing it in the earth (as will be mentioned in the chapter about prayer)

"Leave them, for I put them on while I was in a state of purity,40" and he wiped over them." Agreed upon.

٦٤ — وَلِلأَرْبَعَـةِ عَـنْهُ إِلاَّ النَّسَائِيَّ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَسَحَ أَعْلَى الْحُفِّ وَأَسْفَلَهُ» ، وَفي إسْنَاده ضَعْف .

64. The four Imâms, excluding an-Nasâ'î, reported on the authority of al-Mughîrah bin Shu'bah (RAA), that the Prophet is wiped over the top and the bottom of his socks. There is a weakness in this chain of narrators.<sup>41</sup>

٦٥ — وَعَنْ عَلِيٍّ – رَضِيَ اللَّهُ عَنْهُ – أَنَّهُ قَالَ : «لَوْ كَانَ الدَّينُ بِالرَّأْيِ لَكَانَ أَسْفَلُ النَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَمْسَحُ الْخُفَّ أَوْلَى بِالْمَسْحِ مِنْ أَعْلاَهُ ، وَقَدْ رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَمْسَحُ عَلَى ظَاهِرٍ خُفَيْهِ». أَخْرَجُهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

65. 'Alî (RAA) observed, "If religion was based on opinion, the bottom of the socks would take preference for being wiped to the top of the socks (khuff), but I saw Allâh's Messenger wiping over the top of his socks." Related by Abû Dawûd with a good (Hasan) chain of narrators.

٦٦ ـــ وَعَـــنْ صَفْوَانَ بْنِ عَسَّالِ قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا إِذَا كُـــنَّا سَفْرًا : أَنْ لاَ نَنْزِعَ خِفَافَنَا ثَلاَّنَهَ أَيَّامٍ وَلَيَالِيَهُنَّ ، إِلاَّ مِنْ جَنَابَةَ وَلَكِنْ مِنْ غَائِط وَبَوْلٍ وَنَوْمٍ». أَخْرَجَهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ ، وَاللَّفْظُ لَهُ ، وَابْنُ خُزَيْمَةً وَصَحَّحَاهُ .

66. Narrated Safwân bin 'Assâl: 'The Messenger of Allâh se used to command us, when we were travelling, not to take off our socks for three days and nights. We did not remove them unless we were in a state of post-sex impurity (Janâbah). We did not remove them on account of relieving ourselves (defectation), passing

I.e. I have already performed ablution and nothing had nullified it, when I put on the Khuff.

<sup>41-</sup> This narration was by the writer of al-Mughîrah, who is considered by the scholars as a weak narrator.

urine or sleeping." Related by an-Naså'î and at-Tirmidhî, and the wording is his.42

٦٧ \_\_ وَعَـــنْ عَلِيٍّ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «جَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَنْهُ وَسَـــلَّمَ ثَلاَئَةَ أَيَّامٍ وَلَيَالِيَهُنَّ لِلْمُسَافِرِ ، وَيَوْمًا وَلَيْلَةٌ لِلْمُقِيمِ - يَعْنِي فِي الْمَسْحِ عَلَى الْخُفَيْنِ». أَخْرَجَهُ مُسْلِمٌ .

67. Narrated 'Alî (RAA): 'The Messenger of Allâh ﷺ had appointed three days and nights for the traveler, and one day and one night for the resident –i.e. as the period set for the duration of wiping over the *khuff*.' Related by Muslim.

٦٨ ـــ وَعَـــنْ ثَوْبَـــانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ سَـــرِيَّةً ، فَأَمَرَهُمْ أَنْ يَمْسَحُوا عَلَى الْعَصَائِبِ - يَعْنِي الْعَمَائِمَ - وَالتَّسَاخِينَ يَعْنِي الْعَمَائِمَ - وَالتَّسَاخِينَ يَعْنِي الْخِفَافَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

68. Narrated Thawbân (RAA): Allâh's Messenger sent out an expedition. He ordered them to wipe over their turbans and their socks (Khuff). Related by Ahmad and Abû Dawûd and pronounced authentic by al-Hâkim.

٦٩ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - مَوْقُوفًا - وَعَنْ أَنَسٍ - مَرفُوعًا : «إِذَا تَوَضَّأُ أَحَدُكُمْ وَلَيِسَ خُفَّيْهِ فَلْيَمْسَحْ عَلَيْهِمَا ، وَلْيُصلِّ فِيهِمَا ، وَلاَ يَخْلَعُهُمَا إِنْ شَاءَ إِلاَّ مِنَ الْجَنَابَة». أَخْرَجَهُ الدَّارُقُطْنيُّ ، وَالْحَاكُمُ وَصَحَّحَهُ .

69. Narrated 'Umar (RAA): (in a <u>H</u>adîth Mawqûf)<sup>43</sup>, and Anas (<u>H</u>adîth Marfû')<sup>44</sup>, "When any of you performs ablution and puts his socks or khuff on, he may wipe over them, offer prayer while wearing them and not take them off, if

<sup>42-</sup> Al-Bukhârî said, "There is nothing more authentic than this <u>H</u>adîth, concerning the duration of wiping over the khuff."

<sup>43- &</sup>lt;u>Hadith Mawquf</u> is that which the companion does not connect to the Prophet , so the narration is restricted to the companion alone.

<sup>44- &</sup>lt;u>Hadîth Marfû'</u> is that which is reported with a full chain of narrators, connected to the Prophet ...

he so wishes, except in the case of  $(Jan\hat{a}bah)$ ." Related by ad-Dârqutnî and al-<u>H</u>âkim graded it as  $\underline{Sah}\hat{\imath}h$ .

٧٠ ــ وَعَـــنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ رَخَّصَ لِلْمُسَافِرِ ثَلَائَةَ أَيَّامٍ وَلَيَالِيَهُنَّ ، وَلِلْمُقيمِ يَوْمًا وَلَيْلَةً ، إِذَا تَطَهَّرَ فَلَبِسَ خُفَيْهِ : أَنْ يَمْسَحَ عَلَيْهِمَا». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَصَحَحَمهُ ابْنُ خُزَيْمَةً .

70. Narrated Abû Bakrah (RAA): That 'the Messenger of Allâh save permission for the traveler to wipe over the *khuff* for three days and nights, and for one day and one night for the resident, as long as he was in a state of purity when he put them on.' Related by ad-Dârqutnî and Ibn Khuzaimah graded it as <u>Sahîh</u>

٧١ — وَعَنْ أُبَيِّ بْنِ عِمَارَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : يَا رَسُولَ اللَّهِ أَمْسَحُ عَلَى الْخُفَّ ــيْنِ؟ قَالَ : «نَعَمْ» ، قَالَ : وَيَوْمَيْنِ؟ قَالَ : «نَعَمْ» ، قَالَ : وَيَوْمَيْنِ؟ قَالَ : «نَعَمْ» ، قَالَ : وَتَوْمَيْنِ؟ قَالَ : «نَعَمْ » وَمَا شِئْتَ». أَحْرَجَهُ أَبُو دَاوُدَا ، وَقَالَ : لَيْسَ بِالْقَوِيِّ .
 لَيْسَ بِالْقَوِيِّ .

71. Narrated Abû bin 'Imârah (RAA): that he asked Allâh's Messenger , 'O Messenger of Allâh, may we wipe over our socks (khuff)?' He replied, "Yes." He asked, 'For one day?' He replied , "Yes." He again asked, 'For two days?' He replied, 'Yes.' He again asked, 'For three days?' He replied, "Yes and as long as you wish." Abû Dawûd narrated it saying that it is not a strong Hadîth.

#### بَــابُ نَــوَاقِــضِ الْوُصُــوءِ Chapter VI: Nullification of Ablution

٧٢ ــ عَــنْ أَنَسِ بْنِ مَالِك - رَضِيَ اللهُ عَنْهُ - قَالَ : «كَانَ أَصْحَابُ رَسُولِ الله صَــلّى اللهُ عَلَيْهِ وَسَلْمَ - عَلَى عَهْدُهِ - يَنْتَظِرُونَ الْعِشَاءَ حَتَّى تَخْفِقَ رُؤُوسُهُمْ ، ثُمَّ مَــلّــ يُصَلُّونَ وَلاَ يَتُوضَّأُونَ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الدَّارَقُطْنِيُّ ، وَأَصْلُهُ فِي مُسْلِمٍ.

72. Narrated Anas Ibn Mâlik (RAA): 'The companions of the

Prophet in his lifetime, used to wait for the *Ishâ'* (night) prayer until their heads began to nod (from drowsiness). They would then pray without performing ablution. Felated by Abû Dawûd. Ad-Dârqutnî authenticated it and its original narration is found in Sahîh Muslim.

٧٣ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : جَاءَتْ فَاطِمَةُ بِنْتُ أَبِي حُبَيْشِ إِلَى اللَّهِ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنِّي امْرَأَةٌ أُسْتَحاضُ فَلاَ أَطْهُرُ ، النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنِّي امْرَأَةٌ أُسْتَحاضُ فَلاَ أَطْهُرُ ، أَفَادَعُ الصَّلاةَ ؟ قَالَ : «لا ، إِنَّمَا ذَلِكَ عِرْقٌ ، وَلَيْسَ بِحَيْضٍ ، فَإِذَا أَقْبَلَتْ حَيْضَتُكِ فَدَعِي الصَّلاةَ ، وَإِذَا أَدْبَرَتْ فَاغْسِلِي عَنْكِ الدَّمَ ثُمَّ صَلَّي». مُثَّفَقٌ عَلَيْهِ .

73. Narrated 'Â'ishah (RAA): Fâtimah bint Abî Hubaish came to the Messenger of Allâh and said, "I am a woman who has a prolonged flow of blood (Istihādah), and I am never purified from this blood, "I shall I abandon prayer?" He replied , "No, that is only a vein and not menstrual blood. If it is your menstrualtion, then leave the prayer, and if it is other than that then wash yourself from the blood, and pray." Agreed upon.

<sup>45-</sup> I.e. They would not repeat ablution, due to dozing off, as they were firmly seated on the floor.

The narration of Muslim is, "(The people) stood up for the 'Ishâ', when a man came saying: I am in need of something. The Prophet 's started to speak with him privately, in a low voice till people dozed off, or some of them (dozed off), and then they got up for prayer." In the narration of al-Baihaqî, "They had to be woken up for prayer, as they had slept, to the extent that one could hear some of them snoring." In the narration of at-Tirmidhî, "I saw the companions of the Prophet 's sleeping to the extent that one could hear some of them snoring. But they would stand for prayer without a new ablution."

<sup>47-</sup> I.e. The blood never stops flowing.

<sup>48-</sup> In another narration by Abû Dawûd, an-Nasâ'î and Ibn Hibbân, the Prophet \$\mathscr{C}\$ said to her, "If it is the blood of menstruation it will be dark (almost black) and recognizable (by women). If it is that then leave the prayer. If it is other than that, then make ablution and pray, for it is only due to a vein."

٧٤ - وَلِلْبُحَارِيِّ : «ثُمَّ تَوَضَّئِي لِكُلِّ صَلاَةٍ» ، وَأَشَارَ مُسْلِمٌ إِلَى أَنَّهُ حَلَفَهَا عَمْدًا .

74. In another narration by al-Bukhârî, the Prophet ﷺ said to her, "Make ablution for every prayer."

٧٥ \_ وَعَنْ عَلِيٍّ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنْتُ رَجُلاً مَذَّاءً فَأَمَرْتُ اللَّهُ عَنْهُ - قَالَ : كُنْتُ رَجُلاً مَذَّاءً فَأَمَرْتُ الْمُقْدَّدَ أَنْ يَسْأَلَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَأَلِهُ ، فَقَالَ : «فِيهِ الْوُضُوءُ». مُتَّفَقَّ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ .

75. 'Alî bin Abî <u>T</u>âlib (RAA) said: 'I used to pass madhî<sup>49</sup>, so I asked al-Miqdâd to ask the Prophet , about it. He asked him, then he replied, "One must perform ablution (due to its excretion)." Related by al-Bukhârî and Muslim and the wordings are al-Bukhârî's.

٧٦ ــ وَعَـــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَبَّلَ مَثَلًا وَسَلَّمَ قَبَّلَ بَعْضَ نِسَائِهِ ، ثُمَّ خَرَجَ إِلَى الصَّلاَةِ وَلَمْ يَتَوَضَأْ». أَخْرَجَهُ أَحَمْدُ وَضَعَّفَهُ الْبُخَارِيُّ .

76. Narrated 'Â'ishah (RAA): "The Messenger of Allâh kissed one of his wives, and then went out to prayer without performing ablution." Ahmad related it, but al-Bukhârî reported it to be a weak *Hadîth*.

٧٧ وعَسَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «إِذَا وَحَدَ أَحَدُّكُمْ فِي بَطْنِهِ شَيْئًا ، فَأَشْكَلَ عَلَيْهِ : أَخْرَجَ مِنْهُ شَيْءٌ ، أَمْ لا ؟
 فَلاَ يَخْرُجَنَّ مِنَ الْمَسْجِدِ حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيْحًا». أَخْرَجَهُ مُسْلِمٌ .

77. Narrated Abû Hurairah (RAA): Allâh's Messenger ¾ said, "If one of you felt some disturbance in his stomach and was not certain if he had released any wind or not, he should not leave the mosque unless he hears a sound or smells something." Related by Muslim.

<sup>49-</sup> A white sticky fluid that flows from the sexual organs because of thinking about sexual intercourse or foreplay, etc..

٧٨ \_ وَعَنْ طَلْقِ بْنِ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رُجُلٌ : مُسَسَّتُ ذَكَرِي ، أَوْ قَالَ : الرَّجُلُ يَمَسُّ ذَكَرَهُ فِي الصَّلاَةِ ، أَعَلَيْهِ الْوُضُوءُ ؟ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ : «لا ، إِنَّمَــا هُو بَضْعَةٌ مِنْكَ». أَخْرَجَهُ الْحَمْسَةُ ، وَصَحَّحَهُ ابْنُ حَبَانَ ، وَسَحَّحَهُ ابْنُ حَبَانَ ، وَقَالَ ابْنُ الْمَدِينِي : هُو أَحْسَنُ مِنْ حَدِيثٍ بُسْرَةً .

78. Narrated <u>Talq</u> bin 'Alî (RAA): "A man said, 'I touched my penis,' or the narrator said: 'If a man touches his penis during the prayer, does he have to perform ablution (in this case)?" The Prophet said, "No, for it is just a part of you." Reported by the five Imâms<sup>50</sup> and Ibn <u>H</u>ibbân who graded it as <u>Sah</u>îh.

٧٩ \_ وَعَنْ بُسْرَةَ بِنْتُ صَفْوَانَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «مَنْ مَسَّ ذَكَرَهُ فَلْيَتَوَضَّأَ». أَخْرَجَهُ الْخَمْسَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ وَابْنُ حِبَّانَ ، وَقَالَ البُخَارِيُّ : هُوَ أَصْحُ شَيْءٍ فِي هَذَا الْبَابِ .

79. Busrah bint Safwân (RAA) said: The Messenger of Allâh said, "Whoever touches his penis must perform ablution." Related by the five Imâms and was it declared authentic by at-Tirmidhî and Ibn Hibbân. Al-Bukhârî said: It is the most authentic tradition on this topic<sup>51</sup>.

٨٠ ــ وَعَــنْ عَائشَــة - رَضِــيَ اللّــهُ عَــنْهَا - أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ قَالَ : «مَنْ أَصَابَهُ قَيْءٌ أَوْ رُعَافٌ ، أَوْ قَلَسٌ ، أَوْ مَذْيٌ فَلْيَتَوَضَّأَ ، ثُمَّ لِيَبْن عَلَى

<sup>50-</sup> Ahmad, Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

The consensus of the scholars is that touching the private parts without a barrier (clothes etc..) requires performing ablution The Hanafi school is of the opinion that it does not require ablution according to the Hadith of Talq. But the Hadith of Busrah is stronger as it was authenticated by many Imâms and was narrated through different chains of narrators. So the opinion of the majority of scholars is the preferred one, as they said that the Hadith of Busrah was narrated later than the first one in Madînah and is known by a greater number of the Companions. The touching which nullifies ablution is that which is done with the palm of the hand or with the fingers, not that which is done with a nail, the back of a hand or an arm.

صَلاَتِهِ ، وَهُوَ فِي ذَلِكَ لاَ يَتَكَلَّمُ». أُخْرَجَهُ ابْنُ مَاجَهْ ، وَضَعَّفَهُ أَحْمَدُ وَغَيْرُهُ .

80. Narrated 'Â'ishah (RAA): Allâh's Messenger said, "If anyone suffers from vomiting, nose bleeding, regurgitation or madhî (during the prayer) he must perform ablution, then resume his prayer, (provided) that he did not talk (in the interval between leaving the prayer and resuming it.)" Related by Ibn Mâjah, but Ahmad and others declared it to be a weak Hadîth.<sup>52</sup>

٨١ ــ وَعَنْ جَابِرِ بْنِ سَمْرَةَ - رَضِيَ اللّهُ عَنْهُ - أَنَّ رَجُلاً سَأَلَ النَّبِيَّ صَلَّى اللّهُ عَلَيْهِ وَسَــلّمَ : أَتُوضَّأُ مِنْ لُحُومِ الْغَنَمِ ؟ قَالَ : «إِنْ شِئتَ» ، قَالَ : أَتُوضَّأُ مِنْ لُحُومِ الْغَنَمِ ؟ قَالَ : «إِنْ شِئتَ» ، قَالَ : أَتُوضَّأُ مِنْ لُحُومِ الْغِنَمِ ؟ الإِبلِ ؟ قَالَ : «نَعَمْ». أَخْرَجَهُ مُسْلِمٌ .

81. Narrated Jâbir bin Saumrah (RAA): "A man asked the Prophet , 'Should we perform ablution after eating mutton?' He said, 'If you wish(make ablution).' The man then asked 'Should we make ablution after eating camel meat?' He said, 'Yes.' Related by Muslim.

٨٢ ـــ وَعَـــنْ أَبِـــي هُرَيْـــرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَنْ غَسَّلَ مَيَّنَا فَلَيَغْتَسِلْ ، وَمَنْ حَمَلَهُ فَلْيَتُوضَأْهُ. أَخْرَجَهُ أَحْمَدُ وَالنَّسَائِيُّ وَالنَّسَائِيُّ وَالنَّسَائِيُّ وَالنَّسَائِيُّ .
وَالنَّرْمِذِيُّ وَحَسَّنَهُ ، وَقَالَ أَحْمَدُ : لاَ يَصِحُّ فِي هَذَا الْبَابِ شَيْءٌ .

82. Narrated Abû Hurairah (RAA): The Prophet said, "Anyone who washed a dead person (made ghusl for him) must bathe himself, and he who carries him must perform ablution." Related by Ahmad, an-Nasâ'î and at-Tirmidhî, but

This <u>Hadith</u> is not actually connected to the Prophet 養, but was narrated on the authority of Ibn Juraij on the authority of his father (one of the Successors 'Tâbi'î'). Therefore the scholars said that it is <u>Hadîth</u> mursal (that in which the link between the Successor (Tâbi'î) and the Prophet 養 is missing), and that it is a mistake to link the chain to 'Â'ishah (RAA) as she did not narrate it. The scholars are of the opinion that in this case he should re-perform his Wudû' and repeat his prayer.

Ahmad said that none of the traditions related in this topic are authentic.53

٨٣ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ فِي الْكَتَابِ الَّذِي كَتَبَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِعَمْرِو بْنِ حَزْمٍ : «أَنْ لاَ يَمَسَّ الْقُرْآنَ إِلاَّ طَاهِرٍ». رَوَاهُ مَالِكٌ مُرْسَلاً ، وَوَصَلَهُ النَّسَائِيُّ ، وَابْنُ حِبَّانَ ، وَهُوَ مَعْلُولٌ .

83. Narrated 'Abdullâh bin Abû Bakr (RAA): In the letter which was written by Allâh's Messenger to 'Amro bin <u>Hazm</u>, "None should touch the Qur'ân except one who is (ritually) pure (i.e. <u>Tâhir</u>)." Narrated by Mâlik as a <u>Hadîth</u> mursal.

٨٤ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَذْكُو اللَّهَ عَلَى كُلِّ أَحْيَانِهِ». رَوَاهُ مُسْلِمٌ ، وَعَلَّقَهُ الْبُخَارِيُّ .

84. Narrated 'Â'ishah (RAA): Allâh's Messenger sused to mention Allâh's Name and (make dhihr) under all circumstances. Related by Muslim.

٨٥ - وعَـــنْ أَنسِ بْنِ مَالك - رَضِيَ اللّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الحُتَجَمَ وَصَلَّى ، وَلَمْ يَتَوَضَّأُ». أَخْرَجَهُ الدَّارَقُطُنيُّ ، وَلَيْنَهُ .

85. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ had himself cupped and then prayed without (renewing) his ablution. Narrated by ad-Dârqutnî, who declared it to be weak.

٨٦ ـــ وَعَـــنْ مُعَاوِيَـــةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَيْنُ وِكَاءُ السَّهِ ، فَإِذَا نَامَتِ الْعَيْنَانِ اسْتَطْلَقَ الْوِكَاءُ». رَوَاهُ أَحْمَدُ وَالطَّبَرَانِيُّ .

86. Narrated Mu'âwiyah: Allâh's Messenger said, "The eye is the leather strap of the anus, and when the eyes sleep the leather strap is loosened." Related by Ahmad and at-Tabarânî.

<sup>53-</sup> The consensus of the scholars is that washing a dead person, does not require ablution as the Ahâdîth mentioned here are weak.

٨٧ ـــ وَزَادَ : «وَمَنْ نَامَ فَلْيَتُوضَّأْ» ، وَهَذه الزَّيَادةُ فِي هَذَا الْحَديثِ عِنْدَ أبي دَاوُدُ
 مِنْ حَدِيثٍ عَلِيٍّ دُونَ قَوْلِه : «اسْتَطْلَقَ الْوِكَاء» ، وَفِي كِلاَ الإِسْنَادَيْنِ ضَعْفٌ .

87. He added (i.e. a<u>t</u>-<u>T</u>abarânî), "So whoever sleeps should perform ablution." This addition was declared weak by Abû Dawûd on the authority of 'Alî, but without his saying, "The leather strap is loosened." The chain of narrators for both this <u>H</u>adîth and the previous one, is weak.

٨٨ ـــ وَلأَبِـــي دَاوُدَ أَيْضًــا عَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - مَرْفُوعًا ; «إِنَّمَا الْوُضُوءُ عَلَى مَنْ نَامَ مُضْطَحِعًا». وَفِي إِسْنَادِهِ ضَعْفٌ أَيْضًا .

88. Abû Dawûd transmitted on the authority of Ibn 'Abbâs (RAA): "Ablution is obligatory for the one who sleeps lying down." This *Hadîth* also has a weak chain of narrators.

٨٩ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «يَــأْتِي أَخِيَ أَخِيرَهُ الشَّيْطَانُ فِي صَلاَتِه ، فَيَنْفُخُ فِي مَقْعَدَتِهِ فَيُخيَّلُ إِلَيْهِ أَنَّهُ أَنَّهُ أَلَهُ وَسَلْتِه ، فَيَنْفُخُ فِي مَقْعَدَتِهِ فَيُخيَّلُ إِلَيْهِ أَنَّهُ أَنَّهُ أَخَــدَثَ ، وَلَـــمُ يُخــدِثُ ، فَإِذَا وَجَدَ ذَلِكَ فَلاَ يَنْصَرِفْ حَتَّى يَسْمَعَ صَوْتًا ، أَوْ يَجدَ رَيْحًا». أَخْرَجَهُ الْبَزَّارُ .

89. Narrated Ibn 'Abbâs (RAA): Allâh's Messenger said, "The devil comes to one of you while he is praying, and blows in his posterior, so he doubts that he has broken his ablution (due to releasing wind) but actually he has not. So if anyone experiences this feeling, he should not leave his prayer unless he hears a sound or smells something." Related by al-Bazzâr.

90. The previous <u>Hadîth</u> is supported by a narration originally mentioned in al-Bukhârî and Muslim on the authority of 'Abdullâh Ibn Zaid.<sup>54</sup>

<sup>54-</sup> Narrated 'Abbâd Ibn Tamîm: "My uncle ('Abdullâh Ibn Zaid) asked Allâh's Messenger 

about a person who imagined that he had passed

91. Muslim transmitted something to the same effect on the authority of Abû Hurairah (*Hadîth* no. 77).

92. Al-Hâkim transmitted on the authority of Abû Sa'îd al-Khudrî (RAA): that the Messenger of Allâh said, "If the devil whispered to any one of you and said: You have broken your ablution (you have passed wind), you must say: You told a lie." Ibn Hibbân related the Hadîth with the wordings, "He must say to himself: This is a lie."

### بَسابُ آدَاب قَضَساء الْحَاجَسة

## Chapter VII: Etiquettes of Relieving oneself (going to the bathroom)

93. Narrated Anas Ibn Mâlik (RAA): "When Allâh's Messenger se went to the privy, he used to take off his ring.55" Reported by the four Imâms, but it has a defect (in its chain of narrators).56

wind during the prayer. Allâh's Messenger \$\mathbb{B}\$ replied: "He should not leave his prayer unless he hears a sound or smells something."

<sup>55-</sup> The ring was engraved with Muhammad Rasûl-ullâh (Muhammad is the Messenger of Allâh), so he used to remove it # as it is not proper to carry something that has Allâh's name upon it while using to the bathroom.

<sup>56-</sup> It was narrated by Hammâm Ibn Juraij on the authority of Az-Zuharî on the authority of Anas, and its chain of narrators is trustworthy, but Ibn Juraij did not actually hear this <u>Hadith</u> from az-Zuharî, but heard it from Zaid bin Sa'd who heard it from az-Zuharî.

- ٩٤ \_ وَعَــنْهُ رَضِيَ اللَّهُ عَنْهُ قَالَ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا دَحَلَ الْخَلاَءَ قَالَ : «اللَّهُمَّ إِنِّي أَعُودُ بِكَ مِنَ الْخُبُثِ وَالْخَبَائِثِ». أَخْرَجَهُ السَّبْعَةُ .
- 94. Narrated Anas Ibn Mâlik (RAA): "Whenever Allâh's Messenger sentered the privy, he used to say, "O Allâh, I seek refuge in You from male and female devils." Related by the seven Imâms.<sup>57</sup>

٩٥ ـــ وَعَنْ أَنَس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 يَدْخُلُ الْخَلاَءَ ، فَأَحْمِلُ أَنَا وَغُلاَمٌ نَحْوِي إِدَاوَةً مِنْ مَاءٍ وَعَنَزَةً ، فَيَسْتَنْجِي بِالْمَاءِ».
 مُتَّفَقٌ عَلَيْه .

95. Narrated Anas Ibn Mâlik (RAA): "Whenever Allâh's Messenger sentered the privy, I along with another boy used to bring him a tumbler full of water and a spear-headed stick. He would cleanse himself with water." Agreed upon.

٩٦ ـــ وَعَنِ الْمُغِيرَةِ بْنِ شُغْبَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حُذِ الإدَاوَةَ». فَانْطَلَقَ حَتَّى تَوَارَى عَنِّي ، فَقَضَى حَاجَتَهُ . مُتَّفَقٌ عَلَيْه .

96. Narrated al-Mughîrah Ibn Shu'bah (RAA): The Messenger of Allâh said to me, "Take the tumbler of water away." He went off where I could not see him, and he would then relieve himself." Agreed upon.

٩٧ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اتَّقُوا اللَّعَانَيْن : الَّذي يَتَخَلَّى في طَريق النَّاس ، أَوْ ظلِّهمْ». رَوَاهُ مُسْلمٌ .

97. Narrated Abû Hurairah (RAA): The Prophet said, "Beware of the two acts which cause others to curse: relieving yourself in the people's walkways or in their shade." Related by Muslim.

<sup>57-</sup> Ahmad, al-Bukhârî, Muslim, Abû Dawûd, at-Tirmidhî, an-Nasâ'î and Ibn Mâjah.

٩٨ \_ وَزَادَ أَبُــو دَاوُدَ ، عَــنْ مُعَاذِ - رَضِيَ اللَّهُ عَنْهُ - : «وَالْمَوَارِدَ». وَلَفْظُهُ :
 «اتَّقُوا الْمَلاَعنَ النَّلاَئَةَ : الْبَرَازَ فِي الْمَوَّارِد ، وَقَارِعَةِ الطَّرِيقِ ، وَالظَّلِّ».

98. Abû Dawûd added to the above narration, on the authority of Mu'âdh (RAA), "And the waterways." Its wordings are: "Beware of the three acts which cause others to curse: relieving oneself in the waterways, in the middle of the road and in the places of shade."

99. Ahmad transmitted on the authority of Ibn 'Abbâs, "Or in a swamp of water." Both this narration and the previous one are declared as weak.

100. At-Tabarânî also narrated on the authority of Ibn 'Umar (with a weak chain of narrators), the prohibition of relieving one-self under fruit trees and beside the bank of a flowing river.

١٠١ ــ وَعَـــنْ جَابِــرِ قَـــالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «إذَا تَغَوَّطَ السَّرَّجُلاَنِ فَلْيَتَوَارَ كُلُّ وَاحِد مِنْهُمَا عَنْ صَاحِبِهِ ، وَلاَ يَتَحَدَّثَا ، فَإِنَّ اللَّهَ يَمْقُتُ عَلَى ذَلكَ». رَوَاهُ أَحْمَدُ ، وَصَحَّحُهُ ابْنُ السَّكَن ، وَابْنُ الْقَطَّان ، وَهُوَ مَعْلُولٌ .

101. Narrated Jâbir (RAA): The Messenger of Allâh said, "When two men go to relieve themselves(in the same place) everyone should hide himself from his companion and not converse together, for Allâh detests this." Related by Ahmad, Ibn as-Sakan and Ibn al-Qattân authenticated it, but it has a defect in its chain of narrators.

١٠٢ ــ وَعَــنْ أَبِي قَتَادَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «لاَ يَتَمَسَّعُ أَحَدُكُمْ ذَكَرَهُ بِيَمِينِهِ وَهُوَ يَبُولُ ، وَلاَ يَتَمَسَّعُ مِنَ الْخَلاَءِ بِيَمِينِهِ ،
 وَلاَ يَتَنَفَّسٌ فِي الآنَاءِ» مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمِ .

102. Narrated Abû Qatâdah (RAA): Allâh's Messenger 🎉 said,

"None of you should touch his penis with his right hand when passing urine, or wipe himself with his right hand after relieving himself, and he must not breathe into the vessel (while drinking)." Related by al-Bukhârî and Muslim, and the wording is Muslim's.

١٠٣ ـــ وَعَنْ سَلْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : لَقَدْ نَهَانَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنْ نَسْتَقْبِلَ الْقَبْلَةَ بِغَائِط أَوْ بَوْلِ ، أَوْ أَنْ نَسْتَنْجِيَ بِالْيَمِينِ ، أَوْ أَنْ نَسْتَنْجِيَ بِأَقْلُ مِنْ ثَلاَئَةٍ عَظْمٍ». رَوَاهُ مُسْلِمٌ .
 بِأَقَلُ مِنْ ثَلاَئَةٍ أَحْجَارٍ ، أَوْ أَنْ نِسْتَنْجِيَ بِرَجِيعٍ ، أَوْ عَظْمٍ». رَوَاهُ مُسْلِمٌ .

103. Narrated Salmân (RAA): The Messenger of Allâh \$\mathsection{\text{\section}}\$ forbade us from facing the \$Qiblah\$ (direction of the prayer towards the \$Ka^\*bah\$) while relieving ourselves or passing urine, from cleaning ourselves with our right hand, and from cleaning ourselves with less than three stones. We also should not use an impure substance (such as dung) or bones to clean ourselves." Related by Muslim.

١٠٤ ــ وَلِلسَّـبْعَةِ عَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «وَلاَ تَسْتَقْبِلوُ الْمَهِ عَنْهُ اللهُ عَنْهُ - : «وَلاَ تَسْتَدْبِرُوهَا بِغَائطٍ أَوْ بَوْلٍ ، وَلَكِنْ شَرَّقُوا أَوْ غَرَّبُوا».

104. The seven Imâms reported on the authority of Abû Aiyûb al-Ansârî (RAA): "When one of you relieves himself, he should neither face the *Qiblah* nor turn his back on it, but turn towards the East or the West."

١٠٥ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : إِنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَالَ : «مَنْ أَتَى الْغَائِطَ فَلْيَسْتَتَرْ». رَوَاهُ أَبُو دَاوُدَ .

105. Narrated 'Â'ishah (RAA): Allâh's Messenger said, "If anyone goes to relieve himself, he should hide himself from others." Transmitted by Abû Dawûd.

١٠٦ ــ وَعَــنْهَا: أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا خَرَجَ مِنَ الْغَائِطِ قَالَ:
 «غُفْرَانَكَ». أَخْرَجَهُ الْحَمْسَةُ ، وَصَحَّحَهُ أَبُو حَاتِمٍ وَالْحَاكِمُ .

106. Narrated 'Â'ishah (RAA): When Allâh's Messenger ﷺ came out from the privy, he used to say, "O Allâh I seek Your

forgiveness." Related by the five Imâms. Abû <u>H</u>âtim and al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١٠٧ \_ وَعَــنِ انْــنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَتَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْغَائِطَ ، فَأَمَرَنِي أَنْ آتِيَهُ بِثَلاَنَةٍ أَحْجَارٍ ، فَوَجَدْتُ حَجَرَيْنِ ، وَلَمْ أَجِدْ ثَالِثًا ، فَأَتَيْتُ بِسَرَوْنَة ، فَأَحَدَهُمَــا وَأَلْقَى الرَّوْنَة ، وَقَالَ : «هَذَا رِحْسٌ - أَوْ رِكْسٌ». أَخْرَجَهُ البُخارِيُّ ، وَزَادَ أَحْمَدُ وَالدَّارَقُطْنِيُّ : «اثْتِنِي بِغَيْرِهَا».

107. Narrated Ibn Mas´ûd: "The Prophet ﷺ went to relieve himself and commanded me to bring three stones; I found two stones but could not find a third, so I brought a piece of dried dung. He took the stones and threw away the dung, and said, "This is Rijs (anything which is impure, filthy, abominable)." Related by al-Bukhârî. Ahmad and ad-Dârqutnî added, "Bring me another one (instead of the dung)."

١٠٨ — وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ - وَقَالَ : «إِنَّهُمَا لا يُطَهِّرَانِ».
 عَلَـــيْهِ وَسَـــلَمَ نَهَى أَنْ يُسْتَنْجَى بِعَظْمٍ ، أَوْ رَوَثٍ» ، وَقَالَ : «إِنَّهُمَا لا يُطَهِّرَانِ».
 رَوَاهُ الدَّارَقُطْنَيُّ وَصَحَّحُه .

108. Narrated Abû Hurairah (RAA): The Prophet  $\frac{1}{2}$  prohibited that one cleans his private parts with bones or dung and said, "Neither of them purify." Related by ad-Dârqutnî who graded it as  $\underline{Sah}\hat{th}$ .

109. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, "Keep yourselves clean from (any traces) of urine, for it is the cause of most of the punishment of the grave." Related by ad-Dârqutnî.

110. Al-<u>H</u>âkim transmitted with a sound chain of narrators: "Most of the punishment of the grave is bacause of urine."

١١١ ـــ وَعَنْ سُرَاقَةَ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «عَلَّمَنَا رَسُولُ اللَّهِ صَلَّى النَّسُونَ » وَتَنْصِبَ النَّمْنَى». رَوَاهُ الْبَيْهَقِيُّ النَّسْرَى » وَتَنْصِبَ النَّمْنَى». رَوَاهُ الْبَيْهَقِيُّ النَّسْرَى » وَتَنْصِبَ النَّمْنَى». رَوَاهُ الْبَيْهَقِيُّ النَّسْرَى » وَتَنْصِبَ النَّمْنَى». رَوَاهُ الْبَيْهَقِيُّ اللَّهُ مَعْيَفٍ .

111. Narrated Suraqah bin Malik (RAA): Allah's Messenger taught us, when in the privy, to sit on the left (foot while squatting) while propping up the right one." Related by al-Baihaqî with a weak chain of narrators.

١١٢ ــ وَعَنْ عِيسَى بْنِ يَزْدَاد عَنْ أبيه - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ الله صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا بَالَ أَحَدُكُمْ فَلْيَنْتُرْ ذَكَرَهُ ثَلاَثَ مَرَّاتٍ». رَوَاهُ ابْنُ مَاجَهُ بِسَنَدٍ ضَعِيفٍ.
 بِسَنَدٍ ضَعِيفٍ.

112. Narrated Isâ bin Yazdâd on the authority of his father (RAA): The Prophet said, "When any of you passes urine, he must pull his penis three times." Related by Ibn Mâjah with a weak chain of narrators.

١١٣ ــ وَعَــنْ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 سَــأَلَ أَهْلَ قُبَاءٍ ، فَقَالَ : «إِنَّ اللَّه يُثْنِي عَلَيْكُمْ» ، فَقَالُوا : إِنَّا نُتْبِعُ الْحِجَارَةَ الْمَاءَ .
 رَوَاهُ الْبَزَّارُ بِسَنَدٌ ضَعِيفٍ ، وَأَصْلُهُ فِي أَبِي دَاوُدَ .

113. Narrated Ibn 'Abbâs (RAA): 'The Messenger of Allâh saked the people of Qibâ', "Allâh is praising you!" They replied, 'We use water to cleanse ourselves after using stones.' Al-Bazzâr related it with a weak chain of narrators.

١١٤ ـــ وَصَــحَّحَهُ ابْــنُ خُزَيْمَةَ مِنْ حَدِيث أبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - بِدُونِ
 ذِكْرِ الْحِجَارَةِ .

114. Ibn Khuzaimah declared the aforementioned <u>Hadîth</u> authentic, through the narration of Abû Hurairah, but without mentioning the stones.

## بَابُ الْغُسُلِ وَحُكْمُ الْجُنُبِ

# Chapter VIII: The full ritual ablution (al-Ghusl) and the <u>H</u>ukm (ordinance) of the person in a state of major ritual impurity (Junub)

١١٥ ـــ عَـــنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمَاءُ مِنَ الْمَاءِ». رَوَاهُ مُسْلِمٌ ، وَأَصْلُهُ فِي الْبُحَارِيِّ .

115. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "Water (washing) is (obligatory) after (ejaculation of) sperm." Related by Muslim. The full narration of this <u>Hadîth</u> is found in al-Bukhârî.

١١٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :«إِذَا حَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ ، ثُمَّ حَهَدَهَا ، فَقَد وَحَبَ الْغُسْلُ». مُتَّفَقٌ عَلَيْهِ

116. Narrated Abû Hurairah (RAA): The Prophet said, "When anyone sits between the four parts of her body (arms and legs, of his wife) and exerts himself (has intercourse with her), bathing (Ghusl) becomes obligatory (for both)." Agreed upon.

117. Muslim added (to the above narration), "Even if he does not emit fluid."

118. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said –concerning a woman who has a wet dream as the man has, "She must perform *Ghusl.*58" Agreed upon.

<sup>58-</sup> The Prophet 裳 said this as an answer to Umm Sulaim, who asked, 'Does a woman have to perform ghus! if she has a wet dream?' He said 裳, "Yes, if she sees the liquid (sexual fluid)."

١١٩ ـــ زَادَ مُسْلِمٌ : فَقَالَتْ أُمُّ سَلَمَةَ : وَهَلْ يَكُونُ هَذَا ؟ قَالَ : «نَعَمْ ، فَمِنْ أَيْنَ يَكُونُ الشَّبَهُ ؟».

119. Muslim added (to the above narration), Umm Salamah then said, Does a woman have sexual dreams? He replied **%**, "Yes she does, how does her child resemble her?"

١٢٠ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَغْتَسِلُ مِنْ أَرْبَعٍ : مِنَ الْحَنَابَةِ ، وَيَوْمَ الْحُمُعَةِ ، وَمِنَ الْحِجَامَةِ ، وَمِنْ غُسْلِ الْمَيِّت». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

120. Narrated 'Â'ishah (RAA): 'Allâh's Messenger sused perform ghusl due to four things: janâbah (a state of major ritual sexual impurity), on a Friday, after being cupped and after washing the dead.' Related by Abû Dawûd and Ibn Khuzaimah graded it as Sahîh

١٢١ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةٍ ثُمَامَةَ بْنِ أَثَال ، عنْدَمَا أَسْـــلَمَ - وَعَـــنَ أَبِسِي أَثَال ، عنْدَمَا أَسْـــلَمَ - وَأَمَـــرَهُ النَّــبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَغْتَسِلَ . رَوَاهُ عَبْدُالرَّزَّاقُ وَأَصْلُهُ مُتَّفَقٌ عَلَيْه .

121. Narrated Abû Hurairah (RAA): concerning the story of Thumâmah Ibn Uthâl<sup>59</sup> when he embraced Islâm, The Prophet secommanded him to perform ghusl.' Related by 'Abdur Razzâq, and the original full narration related to this issue is agreed upon.

١٢٢ ـــ وَعَنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «غُسْلُ يَوْمٍ الْجُمُعَةِ وَاحِبٌ عَلَى كُلِّ مُحْتَلِمٍ». أَخْرَجَهُ السَّبْعَةُ .

122. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger

<sup>59-</sup> Thumâmah Ibn Uthâl al-Hanafî was captured and the companions tied him to a pillar of the mosque. He eventually embraced Islâm and the Prophet 裳 untied him and ordered him to go to the garden of Abû Talhah and perform ghusl. He then performed ghusl and prayed two Rak'ah. The Prophet 鸳 said, 'Indeed your brother has become a fine Muslim.' (Related by Ahmad).

said, "Performing Ghusl is obligatory on every adult."
Related by the seven Imâms.

١٢٣ ــ وَعَنْ سَمُرَةَ بْنُ جُنْدَب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ عَلَّمْ مَ وَمَنِ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ».
 عَلَــيْه وَسَلَّمَ : «مَنْ تَوَضَّأَ يَوْمَ الْحُمُعَةِ فَبِهَا وَنَعْمَتْ ، وَمَنِ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ».
 رَوَاهُ الْخَمْسَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ .

123. Narrated Samurah bin Jundub (RAA): Allâh's Messenger said, "If you perform ablution on a Friday it is sufficient, but if you perform Ghusl it is more superior." Related by the five Imâms.

١٢٤ ــ وَعَــنْ عَلـــيُّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يُقُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يُقُولُ النَّرُمِذِيِّ ، وَهَذَا لَفُظُ التَّرْمِذِيِّ ، وَصَحَّحَهُ ، وَحَمَّنَهُ ابْنُ حِبَّان .

124. Narrated 'Alî (RAA): 'The Messenger of Allâh  $\frac{1}{2}$  used to recite the Qur'ân to us unless he was Junub (in a state of major ritual impurity).' Related by the five, and these are the wordings of at-Tirmidhî who authenticated it. Ibn Hibbân graded it as Hasan.

١٢٥ ـــ وَعَنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : ﴿إِذَا أَتَى أَحَدُكُمْ أَهْلَهُ ، ثُمَّ أَرَادَ أَنْ يَعُودَ فَلَيَتَوَضَّأَ بَيْنَهُمَا وُضُوءًا». رَوَاهُ مُسْلِمٌ .

125. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "When one of you has intercourse with his wife, and wishes to repeat it, he should perform ablution between the two acts." Related by Muslim.

126. Al-<u>H</u>âkim added (to the above narration), "For it makes the return more vivacious."

<sup>60-</sup> It is a recommended act in this case.

١٢٧ ـــ وَلِلأَرْبَعَةِ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يَنَامُ وَهُوَ جَنْبٌ ، منْ غَيْر أَنْ يَمَسَّ مَاءً ، وَهُوَ مَعْلُولٌ».

127. The four Imâms reported on the authority of 'Â'ishah (RAA): who said, "Allâh's Messenger used to sleep while he is junub without touching water." This <u>Hadîth</u> has a defect.

١٢٨ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رِسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اغْتَسَلَ مَنَ الْحَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَيْهِ ، ثُمَّ يُفْرِغُ بِيَمِينِهِ عَلَى شَمَالِهِ ، فَيَغْسِلُ وَسَلَّمَ إِذَا اغْتَسَلَ مَنَ الْحَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَيْهِ ، ثُمَّ يُفُرِغُ بِيَمِينِهِ عَلَى شَمَالِهِ ، فَيَغْسِلُ فَكَرْجَهُ ، ثُمَّ يَتُوضَّا أَ ، ثُمَّ يَأْخُذُ الْمَاءَ ، فَيُدْجِلُ أَصَابِعَهُ فِي أَصُولِ الشَّعَرِ ، ثُمَّ حَفَنَ فَلَ عَلَى مَا يُو خَسَدِهِ ، ثُمَّ غَسَلَ رِحْلَيْهِ». عَلَى مَا يُو خَسَدِهِ ، ثُمَّ غَسَلَ رِحْلَيْهِ». مُثَلَّقُ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

128. Narrated 'Â'ishah (RAA): 'When the Messenger of Allâh performed *Ghusl* after sexual intercourse, he first washed his hands, then he poured water over his left hand with his right hand and washed his private parts. He would then perform ablution for prayer, take some water and wash his hair thoroughly down to the roots then he poured water over his head three times and then poured water over the rest of his body, then washed his feet." Agreed upon, and the wording is Muslim's.

١٢٩ ــ وَلَهُمَــا ، مِنْ حَدِيثِ مَيْمُونَةَ : «ثُمَّ أَفْرَغَ عَلَى فَرْجِهِ وَغَسَلَهُ بِشِمَالِهِ ، ثُمَّ ضَرَبَ بِهَا الأَرْضَ».

129. Al-Bukhârî and Muslim transmitted on the authority of Maimûnah (RAA): "Then he poured water over his private parts and washed it with his left hand, then rubbed his hand on the ground."

١٣٠ ـــ وَفِي رِوَاية : فَمَسَحَهَا بِالتُّرَابِ ، وَفِي آخِرِهِ : ثُمَّ أَتَيْتُهُ بِالْمِنْدِيلِ ، فَرَدَّهُ ، وَفِيهِ : وَجَعَلَ يَنْفُضُ أَلْمَاءَ بِيَدِهِ .

130. In another narration, she said, 'And he wiped it with earth.' This version concludes, 'I handed him a piece of cloth, but he did not take it....' 'He started shaking the water off with his hand.'

١٣١ ــ وَعَنْ أُمَّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنِّي امْرَأَةٌ أَشُدُ شَعَرَ رَأْسِي ، أَفَأَنْقُضُهُ لِغَسْلِ الْجَنَابَةِ ؟ وَفِي رِوَاية : وَالْحَيْضَةِ ؟ قَالَ : «لا ، إِنَّمَا يَكُفِيكِ أَنْ تَحْنِي عَلَى رَأْسِكِ ثَلاَثَ حَنْيَاتٍ». رَوَاهُ مُسْلِمٌ .

131. Narrated Umm Salamah (RAA):, 'I said, 'O Messenger of Allâh, I am a woman who keeps her hair closely plaited. Do I have to undo them for *Ghusl* after sexual intercourse?' In another narration, 'and after the end of menses?' He replied , "No, it is enough for you to throw three handfuls of water over your head." Related by Muslim.

١٣٢ ـــ وَعَـــنْ عَائِشَــةَ - رَضِـــيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «إِنِّـــي لاَ أُحِـــلُّ الْمَسْجِدَ لِحَائِضٍ وَلاَ حُنُبٍ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

132. Narrated 'Â'ishah (RAA): 'Allâh's Messenger said, "It is not permitted for a menstruating woman or one who is junub (sexually impure) to stay in the mosque." Related by Abû Dawûd and Ibn Khuzaimah graded it as <u>Sah</u>îh

١٣٣ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّهِ صَلَّى اللَّهِ صَلَّى اللَّهِ عَلَيْهِ ، اللَّهِ عَلَيْهِ ، اللَّهِ عَلَيْهِ ، اللَّهِ عَلَيْهِ ، وَسَـــلَّمَ مِنْ إِنَاءِ وَاحِدٍ ، تُخْتَلِفُ أَيْدِينَا فِيهِ مِنَ الْجَنَابَةِ». مُتَّفَقَّ عَلَيْهِ ، وَزَادَ ابْنُ حِبَّانٍ : وَتَلْتَقِي أَيْدِينَا .

133. Narrated 'Â'ishah (RAA): 'Allâh's Messenger and I used to wash(perform *Ghusl*) from the same bowl after sexual impurity, and our hands were alternating (in taking the water).' Agreed upon. Ibn <u>H</u>ibbân added, 'and our hands were crossing over each other.'

١٣٤ ــ وَعَــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَــلَّمَ : «إِنَّ تَحْــتَ كُلُّ شَعْرَةٍ حَنَابَةً ، فَاغْسِلُوا الشَّعْرَ ، وَأَنْقُوا الْبَشَرَ».
 رَوَاهُ أَبُو دَاوُدَ ، وَالتَّرْمِذِيُّ وَضَعَّفَاهُ .

134. Narrated Abû Hurairah (RAA): 'Allâh's Messenger 🎉

said,"There is Janâbah (trace of sexual impurity) under every hair, so wash your hair and cleanse the skin." Abû Dawûd and at-Tirmidhî transmitted it but they declared it to be weak.

135. Ahmad transmitted a similar narration to the above, on the authority of 'Â'ishah (RAA), but this version has an unknown transmitter.

#### بَابُ التَّيَمُّـم

#### Chapter IX: Dry Ablution (at-Tayammum)

١٣٦ ــ عَــنْ حَابِــرِ بْنِ عَبْدِ اللَّهِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَعْطِيتُ خَمْسًا ، لَمْ يُعْطَهُنَّ أَحَدٌ قَبْلِي : تُصِرْتُ بِالرَّعْبِ مَسِيرَةَ شَهْرٍ ، وَجُعِلَتْ لِيَ الأَرْضُ مَسْجِدًا وَطَهُورًا ، فَأَيُّمَا رَجُلِ أَدْرَكَتُهُ الصَّلاَةُ فَلْيُصَلِّ» ، وَذَكَّرَ الْحَدِيثَ .

136. Narrated Jâbir (RAA): The Messenger of Allâh said, "I have been given five things, which were not given to any one else before me: I have been made victorious due to the fear (of my enemy), for a distance of one month's journey; the earth has been made for me (and for my followers) a place for prayer and something with which to perform Tayammum (to purify oneself for prayer). Therefore anyone of my followers can pray (anywhere) and at any time that the prayer is due.61"

137. In another narration by Hudhaifah (RAA): "And the soil of the earth had been made for us as a means with which to

<sup>61-</sup> The rest of the <u>Hadîth</u> is, "The war booty has been made <u>Halâl</u> (lawful) for me, and this was not lawful for anyone else before me; I have been give the right of intercession (on the day of Judgment); and every Prophet used to only be sent to his nation, but I have been sent to all mankind." Agreed upon.

purify ourselves (for prayer), when we cannot find water." Related by Muslim.

138. Ahmad transmitted on the authority of 'Alî (RAA): "The earth (dust) has been made for me as a means for purifycation."

1٣٩ — وَعَـــنْ عَمَّارِ بْنِ يَاسِرٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : بَعَثَنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي حَاجَة ، فَأَجْنَبْتُ ، فَلَمْ أُجِدِ الْمَاءَ ، فَتَمَرَّغْتُ فِي الْصَّعِيدُ كَمَا تَتَمَرَّغُ اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَذَكَرْتُ لَهُ ذَلِكَ ، فَقَالَ : «إِنَّمَا الدَّابَّــةُ ، ثُـرَّ مَ اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَذَكَرْتُ لَهُ ذَلِكَ ، فَقَالَ : «إِنَّمَا يَكُفِيكَ أَنْ تَقُولَ بِيَدَيْكَ هَكَذَا» ، ثُمَّ ضَرَبَ بِيَدَيْهِ الأَرْضَ ضَرْبَةً وَاحِدَةً ، ثُمَّ مَسَحَ الشَّمَالَ عَلَى الْيَمِينِ ، وَظَاهِرَ كَفَيْهِ وَوَجْهَهُ. مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

139. Narrated 'Ammâr bin Yâsir (RAA): 'The Messenger of Allâh sent me on some errands and I became junub (sexually impure), and could not find water. I rolled myself in the dirt just as an animal does. I then came to the Prophet and mentioned that to him, He said, "This would have been enough for you," and he struck the earth with his hands once, then he wiped the right hand with the left one, the outside of the palms of his hands and his face. "Agreed upon, and the wording is Muslim's.

140. In a version by al-Bukhârî 'Ammâr said, 'He struck the earth with the palms of his hands, blew in them and wiped his face and hands with them.'

١٤١ ـــ وَعَـــنْ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «التَّيَمُّمُ ضَرَّبَتَان : ضَرْبَةٌ لِلْوَحْهِ ، وَضَرَّبَةٌ لِلْيَدَيْنِ إِلَى الْمِرْفَقَيْنِ». رَوَاهُ الدَّارَقُطْنيُّ ، وَصَحَّحَ الأَئمَّةُ وَقُفْهُ .

141. Narrated Ibn 'Umar (RAA): Allâh's Messenger 🎉 said,

"Tayammum is two strikes: one for the face and the other for the hands up to the elbows." Related by ad-Dâraqutnî.

١٤٢ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الصَّعِيدُ وُضُوءُ الْمُسْلَمِ ، وَإِنْ لَمْ يَجِدِ الْمَاءَ عَشْرَ سِنِينَ ، فَإِذَا وَجَدَ الْمَاءَ فَلْيَـــَّقِ اللَّـــةَ ، وَلْيُمِسَّهُ بَشْرَتَهُ». رَوَاهُ الْبَزَّارُ . وَصَحَّحَهُ ابْنُ الْقَطَّانِ ، لَكِنْ صَوَّبَ الدَّارَقُطْنِيُّ إِرْسَالَهُ .

142. Narrated Abû Hurairah (RAA): Allâh's Messenger said, "The soil is a purifier for a Muslim, even if he does not find water for ten years, but if he finds water, he must fear Allâh and let it touch his skin."62

143. Narrated Abû Dharr (RAA): a similar <u>Hadîth</u> transmitted by at-Tirmidhî.

188 ـ وعَـنْ أَبِسِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : خَرَجَ رَجُلاَنِ فِي سِنَةٍ ، فَحَضَرَتِ الصَّلاَةُ - وَلَيْسَ مَعَهُمَا مَاءٌ - فَتَيَمَّمَا صَعِيدًا طَيْبًا ، فَصَلْيًا ، ثُمَّ وَجَـدًا الْمَـاءَ فِي الْوَقْتِ ، فَأَعَادَ أَحَدُهُمَا الصَّلاَةَ وَالْوُضُوءَ ، وَلَمْ يُعدِ الآخَرُ ، ثُمَّ أَتَـيَا رَسُسولَ اللَّهِ مَسَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَا ذَلِكَ لَهُ ، فَقَالَ للَّذِي لَمْ يُعِدْ : وَأَصَـبْتَ السُّنَةَ ، وأَجْـزَأَتْكَ صَلاَتُكَ » ، وقالَ لِلآخِرُ : «لَكَ الأَجِرُ مَرَّتُيْنِ». وَالنَّسَائِيُّ .

144. Narrated Abû Sa´îd al-Khudrî (RAA): 'Two men went out on a journey, and when it was time for prayer, and having no water with them, they performed tayammum and prayed. Then they found some water during the time of the same prayer. One of them repeated his prayer with ablution and the other did not.

When they saw the Messenger of Allâh , they asked him about the proper procedure in such a case. He said to the one who did

<sup>62-</sup> He must perform Ghusl as soon as he finds water, if he was originally junub.

not repeat his prayer, You have acted according to the Sunnah and your prayer is sufficient for you.' He said to the other, You will get a double reward.' Related by Abû Dawûd and an-Nasâ'î.

١٤٥ \_ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - فِي قَوْلِهِ - عَزَّ وَجَلِّ - : ﴿ وَإِنْ كَنْسَتُمْ مَرْضَـــى أَوْ عَلَـــى سَفَرٍ ﴾ ، قَالَ : إِذَا كَانَتْ بِالرَّجُلِ الْجِرَاحَةُ فِي سَبِيلِ اللهِ وَالْقُرُوحُ ، فَيُحْنِبُ ، فَيَحَافُ أَنْ يَمُوتَ إِنْ اغْتَسَلَ : تَيَمَّمَ. رَوَاهُ الدَّارِقُطْنِيُّ مَوْقُوفًا ، وَالْقُرُوحُ ، فَيُحْنِبُ ، فَيَحَافُ أَنْ يَمُوتَ إِنْ اغْتَسَلَ : تَيَمَّمَ. رَوَاهُ الدَّارِقُطْنِيُّ مَوْقُوفًا ، وَالْقُراحِمُ .

145. Narrated Ibn 'Abbâs (RAA): concerning the verse, "And if you are ill or on a journey," (an-Nisâ: 43- he said, 'If a man has a wound, which he suffered during Jihâd (in the cause of Allâh) or ulcers, then he became junub (sexually impure) and is afraid that if he bathes he would die; he may perform ablution with clean earth (Tayammum). Related by ad-Dâraqutnî. And al-Bazzâr (who traced it back to the Prophet ﷺ). Ibn Khuzaimah and al-Hâkim graded it as <u>Sahîh</u>

١٤٦ ــ وَعَـــنْ عَلِـــيِّ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : «انْكَسَرَتْ إِحْدَى زَنْدَيُّ فَسَـــأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَأَمَرَنِي أَنْ أَمْسَحَ عَلَى الْجَبَائِرِ». رَوَاهُ ابْنُ مَاجَهْ بِسَنَدِ وَاهِ جِدًّا .

146. Narrated 'Alî (RAA): 'When one of my forearms was fractured I consulted Allâh's Messenger ﷺ, so he commanded me to wipe over the bandages or cast.' Related by Ibn Mâjah with a very weak chain of narrators.

١٤٧ ــ وَعَـــنْ حَابِرِ - رَضِيَ اللَّهُ عَنْهُ - فِي الرَّجُلِ الَّذِي شُجُّ ، فَاغْتَسَلَ فَمَاتَ : «إِنَّمَـــا كَـــان يَكْفِــيهِ أَنْ يَتَيَمَّمَ ، وَيَعْصِبَ عَلَى جُرْحِهِ حِرْقَةً ، ثُمَّ يَمْسَحُ عَلَيْهَا ، وَيَغْسِلُ سَائِرِ حَسَدِهِ». رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ ضَعْفٌ ، وَفِيهِ اخْتِلاَفٌ عَلَى رُواتِهِ .

147. Narrated Jâbir (RAA):concerning the man who had a head injury, then he made Ghusl and died- The Messenger of Allâh said, "It would have been enough for him to perform

tayammum and wrap it with something and wipe over the wrapping and wash the rest of his body." Related by Abû Dawûd, but there is a weakness in its chain of narrators.

١٤٨ ـــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «مِنَ السُّنَّةِ أَنْ لاَ يُصَلِّيَ الرَّجُلُ بِالتَّيَمُّمِ إِلاَّ صَلاَةً وَاحِدَةً ، ثُمَّ يَتَيَمَّمُ لِلصَّلاَةِ الأُخْرَى». رَوَاهُ الدَّارَقُطْنِيُّ بإِسْنَادٍ ضَعِيفٍ جِدًّا .

148. Narrated Ibn 'Abbâs (RAA): 'It is from the Sunnah of the Prophet to for the man to pray only one prayer with each tayammum, and then perform tayammum for the next prayer.' Related by ad-Dâraqutnî but with a very weak chain of narrators.

## بَسابُ الْحَيْسِض

#### Chapter X: Menstruation

١٤٩ ــ عَــنْ عَائِشَــةَ - رَضــيَ اللَّهُ عَنْهَا - أَنَّ فَاطِمَةَ بِنْتَ أَبِي خُبَيْشٍ كَانَتْ تُسْــتَحَاضُ ، فَقَالَ لَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ دَمَ الْحَيْضِ دَمٌ أَسْوَدٌ يُعْــرَفُ ، فَإِذَا كَانَ الآخَرُ فَتَوَضَّئِي وَصَلِّي». يُعْــرَفُ ، فَإِذَا كَانَ الآخَرُ فَتَوَضَّئِي وَصَلِّي». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِم ، وَاسْتَنْكَرَهُ أَبُو حَاتِم .

149. Narrated 'Â'ishah (RAA): 'Fâtmah bint Abî Hubaish used to have a prolonged flow of blood (Istihâdah), so the Messenger of Allâh said, "If it is the blood of menstruation it will be dark (almost black) and recognizable (by women). If it is that then leave the prayer. If it is other than that, then make ablution and pray." Related by Abû Dawûd, an-Nasâ'î and Ibn Hibbân and al-Hâkim graded it as Sahîh.

١٥٠ ـــ وَفِـــي حَدِيثِ أَسْمَاءَ بِنْتِ عُمَيْسٍ عِنْدَ أَبِي دَاوُدَ : «وَلْتَحْلِسْ فِي مِرْكَنٍ ، فَإِذَا رَأَتْ صُفْرَةً فَوْقَ الْمَاءِ فَلْتَغْتَسِلْ لِلظَّهْرِ وَالْعَصْرِ، غُسْلاً وَاحِدًا ، وَتَغْتَسِلُ لِلْمَغْرِبِ وَالْعِشَاءِ غُسْلاً وَاحِدًا ، وَتَتَوَضَّأُ فِيمَا بَيْنَ ذَلِكَ».
 وَالْعِشَاءِ غُسْلاً وَاحِدًا ، وَتَغْتَسِلُ لِلْفَحْرِ غُسْلاً وَاحِدًا ، وَتَتَوَضَّأُ فِيمَا بَيْنَ ذَلِكَ».

150. In the narration of Asmâ' bint 'Umais, Abû Dawûd trans-

mitted, 'She should sit in a tub, and if she sees yellowness appearing (on top of the water) she should wash (three times), once for the noon ( $\underline{Dhuhr}$ ) and afternoon ( $\underline{Asr}$ ) prayer and once for the sunset ( $\underline{Maghrib}$ ) and late night ( $\underline{Tsha}$ ) prayer and once for the dawn ( $\underline{Fajr}$ ) prayer and she should then perform ablution in between those times."

101 \_ وَعَــنْ حَمْنَةَ بِنْتِ جَحْشِ قَالَتْ: كُنْتُ أَسْتَحَاضُ حَيْضَةٌ كَثِيرَةٌ شَديدَةً ، فَأَتَيْتُ النّبِيَّ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ أَسْتَفْتِيهِ ، فَقَالَ : «إِنَّمَا هِي رَكْضَةٌ مِنَ النَّيْطَانِ ، فَأَتَيْتُ النّبِيَّ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ أَسْتَفْتِيهِ ، فَقَالَ : «إِنَّمَا هِي رَكْضَةٌ مِنَ النَّيْطَانِ ، فَتَحَيَّضَــي سَــتَّةُ أَيْـامٍ ، أَوْ سَبْعَةُ أَيَّامٍ ، ثُمَّ اغْتَسلِي ، فَإِنَّ ذَلِكَ يُحْزِئُكَ ، وَكَذَلِكَ وَعَشْرِينَ ، وَصُومِي ، وَصَلِّي ، فَإِنَّ ذَلِكَ يُحْزِئُكَ ، وَكَذَلِكَ فَعَـنَّلِي كُلَّ شَهْرِ كَمَا تَحِيضُ النِّسَاءُ ، فَإِنْ قَوِيتِ عَلَى أَنْ ثَوَخْرِي الظَّهْرَ وَتُعَجَّلِي فَا فَعَلِي كُلَّ شَهْرٍ كَمَا تَحِيضُ النِّسَاءُ ، فَإِنْ قَوِيتِ عَلَى أَنْ ثُوَخْرِي الظَّهْرَ وَتُعَجَّلِي الْطَهْرَ وَتُعَجَّلِي الظَّهْرَ وَالْعَصْرَ جَمِيعًا ، ثُمَّ تُؤخْرِينَ الْعَصْدَر ، تُسمَّ تَغْتَسلِي حَينَ تَطْهُرِينَ ، وَتُصَلِّي الظَّهْرَ وَالْعَصْرَ جَمِيعًا ، ثُمَّ تُؤخَّسِلِينَ وَتَحْمَعِينَ بَيْنَ الصَّلاَتَيْنِ ، فَافْعَلِي ، وتَعْتَسلِينَ وَتَحْمَعِينَ بَيْنَ الصَّلاَتِيْنِ ، فَافْعَلِي ، وتَعْتَسلِينَ مَعْ الصَّبْحِ وَتُصَلِّينَ ، فَالَ : وهُو أَعْجَبُ الأَمْرَينِ إِلَيَّ». رَوَاهُ الْخَمْسَةُ إِلاَ النَسَائِيَ ، وَعَدَّمَعِينَ بَيْنَ الصَّبْحِ وَتُصَلِّينَ ، قَالَ : وهُو أَعْجَبُ الأَمْرَينِ إِلَيَّ». رَوَاهُ الْخَمْسَةُ إِلاَ النَسَائِيَ ، وَحَسَنَهُ الْبُحَارِيُّ .

151. Narrated Hamnah bint Jahsh, 'I had a very strong prolonged flow of blood. I went to the Prophet at to ask him about it. He said to her, "This is a strike from Satan. So observe your menses for six or seven days, and then perform Ghusl until you see that you are clean. Pray for twenty-four or twentythree nights and days and fast, and that will be sufficient for you. Do that every month as the other women become pure and menstruate. But if you are strong enough to delay the Dhuhr (noon) prayer and hasten the 'Asr (afternoon) prayer, then make Ghusl when you are purified and pray the Dhuhr and 'Asr prayers together; to delay the Maghrib (sunset) and hasten the 'Ishâ' prayer, and perform Ghusl and combine the Maghrib and the Ishâ' prayer together. Do so, and then wash at dawn and pray the Fajr. This is how you may pray and fast if you have the ability to do so. And he said, "That is the more preferable way to me." Related by the five Imâms except an-Nasâ'î, and was authenticated by at-Tirmidhî.

١٥٢ \_ وَعَـــنْ عَائِشَـــةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّ أُمَّ حَبِيبَةَ بِنْتَ جَحْشِ شَكَتْ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الدَّمَ ، فَقَالَ : « امْكُثِي قَدْرَ مَا كَانَتْ تَحْبِسُكِ حَيْضَتُكِ ، ثُمَّ اغْتَسِلِي» ، فَكَانَتْ تَعْتَسِلُ لِكُلِّ صَلاَةٍ. رَوَاهُ مُسْلِمٌ .

152. Narrated 'Â'ishah (RAA): 'Um Habîbah bint Jahsh complained to the Prophet about a prolonged flow of blood. He said to her, "Keep away (from prayer) as long as your normal period used to prevent you (from praying), and afterwards she should perform Ghusl (and pray)." (She used to wash for every prayer). Related by Muslim.

١٥٣ ــ وَفِي رِوَايَةٍ لِلْبُحَارِيِّ : «وَتَوَضَّعِي لِكُلِّ صَلاَةٍ». وَهِيَ لأَبِي دَاوُدَ ، وَغَيْرِهِ مِنْ وَجْهٍ آخَرَ .

153. In another version by al-Bukhârî he said, "And perform ablution for every prayer." Abû Dawûd and others transmitted a similar narration.

١٥٤ ـــ وَعَنْ أُمِّ عَطِيَّةً - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كُتَّا لاَ نَعُدُّ الْكُذْرَةَ وَالصُّفْرَةَ بَعْدَ الطُّهْر شَيْعًا». رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ .

154. Narrated Umm 'Atiyah (RAA): 'After we were pure, we did not consider the yellow or muddy discharge to be anything (i.e. of the menses blood)." Related by al-Bukhârî and Abû Dawûd and the wording is his.

١٥٥ ــ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ الْيَهُودَ كَانَتْ إِذَا حَاضَتِ الْمَرْأَةُ فِيهِمْ
 لَــمْ يُؤَاكِلُوهَا ، فَقَالُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اصْنَعُوا كُلُّ شَيْءٍ إِلاَّ النِّكَاحَ».
 رَوَاهُ مُسْلَمٌ .

155. Narrated Anas (RAA): When a Jewish woman was menstruating, they would not eat with her. The Prophet sthen said, "Do everything except sexual intercourse." Related by Muslim.

١٥٦ ـــ وَعَنْ عَائِشَةً - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنِي فَأَتَزِرُ ، فَيُبَاشِرُني وَأَنَا حَائِضٌ». مُتَّفَقٌ عَلَيْه .

156. Narrated 'Â'ishah (RAA): 'When I was menstruating, the Prophet & would order me to wrap myself up (with an *Izâr*, which is a dress worn below the waist) and would start fondling me." Agreed upon.

١٥٧ ـــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِــــي الَّذِي يَأْتِي امْرَأْتَهُ وَهِيَ خَائِضٌ - قَالَ : «يَتَصَدَّقُ بِدِينَارٍ ، أَوْ بِنِصْفِ دِينَارٍ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ الْقَطَّانِ ، وَرَجَّحَ غَيْرُهُمَا وَقُفَه .

157. Narrated Ibn 'Abbâs (RAA): that the Messenger of Allâh said, concerning the man who has intercourse with his wife during her menses, "He must pay a Dînâr or half a Dînâr in way of charity." Related by the five Imâms, and al-Hâkim authenticated it.

١٥٨ ــ وَعَنْ أَبِي سَعِيدِ الْحُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ ، اللَّهِ عَلَيْهِ ، عَلَيْهِ ، وَلَمْ تَصُمْ ؟». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ ،

158. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "Is it not the case that when a woman menstruates she neither prays nor fasts?" Agreed upon, and this is an extract from a long <u>Hadîth</u>.

١٥٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : لَمَّا جِئْنَا سَرِفَ حِضْتُ ، فَقَـــالَ النَّـــبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «افْعَلِي مَا يَفْعَلُ الْحَاجُّ ، غَيْرَ أَنْ لاَ تَطُوفِي بِالْبَيْتِ حَتَّى تَطْهُرِي». مُتَّفَقٌ عَلَيْه ، فِي حَدِيثِ طَوِيلٍ .

159. Narrated 'Â'ishah (RAA): 'When we reached Sarif, I menstruated. The Prophet ﷺ said, "You should perform all that a pilgrim would do, except circumambulation until you are

pure (i.e. performed Ghusl)." Agreed upon, and this is an extract from a long <u>Hadîth</u>.

١٦٠ ـــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : مَـــا يَحِلُّ لِلرَّحُلِ مِنْ امْرَأَتِهِ ، وَهِيَ حَائِضٌ ؟ فَقَالَ : «مَا فَوْقَ الإِزَارِ». رَوَاهُ أَبُو دَاوُدَ ، وَضَعَّفَهُ .

160. Narrated Mu'âdh Ibn Jabal (RAA): that he asked the Prophet ﷺ, 'What is lawful for a man with his wife when she is menstruating? He replied, "What is above the waist wrapper." Related by Abû Dawûd and declared it to be a weak <u>Hadîth</u>.

١٦١ ــ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَتْ النَّفَسَاءُ تَقُّعُدُ عَلَى عَهْـــدِ النَّـــبِّيِّ صَـــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ بَعْدَ نِفَاسِهَا أَرْبَعِينَ يَوْمًا». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَاللَّفْظُ لأَبِي دَاوُدَ .

161. Narrated Umm Salamah (RAA): 'During the lifetime of the Prophet , the post-childbirth woman would refrain (from prayer) for forty days after delivery.' Related by the five Imâms except an-Nasâ'î, and the wording is Abû Dawûd's.

١٦٢ ــ وَفِــي لَفْــظ لَهُ: «وَلَمْ يَأْمُرْهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَضَاءِ صَلَاةِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَضَاءِ صَلَاةٍ النَّفَاسِ». وَصَحَّحَهُ الْحَاكِمُ .

162. In a version by Abû Dawûd, the Prophet se would not command her to compensate for the prayers missed during her post-childbirth period.

## كتَابُ الصَّالاَة

#### Book II: Prayer

#### بَابُ الْمَوَاقيت

#### Chapter I: The times of prayer

17٣ \_ عَــن عَــبْد الله بْنِ عَمْرِو - رَضِيَ اللّهُ عَنْهُمَا - أَنَّ النَّبِيُّ صَلَّى اللّهُ عَلَيْهِ وَسَــلَمَ قَــالَ : «وَقْتُ الطَّهْرِ إِذَا زَالَتِ الشَّمْسُ ، وَكَانَ ظِلُّ الرَّجُلِ كَطُولِهِ مَا لَمْ يَحْضُرْ وَقْتُ الْعَصْرِ ، وَوَقْتُ الْعَصْرِ مَا لَمْ تَصْفَرَّ الشَّمْسُ ، وَوَقْتُ صَلاَةِ الْمَغْرِبِ مَا لَحَمْ يَصْفَرُ الشَّمْسُ ، وَوَقْتُ صَلاَةِ الْمَغْرِبِ مَا لَحَمْ يَحْسَبِ الشَّفَقُ ، وَوَقْتُ صَلاَةِ الْعَشَاءِ إِلَى نِصْفِ اللَّيْلِ الأَوْسَطِ ، وَوَقْتُ صَلاَةِ الصَّبْحِ مِنْ طُلُوعِ الْفَجْرِ مَا لَمْ تَطْلُعِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ .

Allâh said, "The time of the <u>Dh</u>uhr prayer is when the sun passes the meridian and a man's shadow is the same length as his height. It lasts until the time of the 'Asr (afternoon) prayer. The time of the 'Asr prayer is until the yellowing of the sun (during its setting). The time of the Maghrib prayer is the duration of the twilight. The time of the Ishâ' prayer is up to the middle of the night, and the time of the Fajr prayer is from the appearance of the dawn until the time of sunrise." Related by Muslim.

<sup>63-</sup> This is the chosen time or the preferable time for the 'Ishâ' prayer, but it is permissible to pray it for the one who missed it until the time of the next prayer, i.e. the Fajr prayer in this case. The evidence for this is the Hadith reported on the authority of Abû Qatâdah that the Prophet said, "Missing the prayer due to sleep is not an act of negligence, the real act of negligence occurs when one (is awake and) does not pray until the time of the next prayer is due." Part of a long Hadith related by Muslim.

164. Muslim transmitted on the authority of Buraidah -concerning the time of the 'Asr (afternoon) prayer, 'While the sun was white and clear."

165. Muslim transmitted on the authority of Abû Mûsâ: concerning the 'Asr' (afternoon) prayer, "When the sun was high."

١٦٦ - وَعَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّى الْعَصْرَ ، ثُمَّ يَرْجِعُ أَحَدُنَا إِلَى رَحْلِهِ فِي أَقْصَى الْمَدينَةِ وَالشَّ مُسُلِّم وَسَلِّم يُصَلِّى الْعَصْرَ ، ثُمَّ يَرْجِعُ أَحَدُنَا إِلَى رَحْلِهِ فِي أَقْصَى الْمَدينَة وَالشَّ مَسْ حَسَيَّةٌ ، وَكَانَ يَسْتَحِبُ أَنْ يُؤَخِّرَ مِنَ الْعِشَاءِ ، وَكَانَ يَكْرَهُ النَّوْمَ فَبُلَهَا وَالشَّ مَسْ حَسَيَّةً ، وَكَانَ يَشْقَتُلُ مِنْ صَلاَةِ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتِلُ مِنْ صَلاَةِ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتِلُ مَنْ صَلاَةِ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتَلُ مَنْ صَلاَةٍ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتَلُ مَنْ صَلاَةٍ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتَلُ مَنْ صَلاَةٍ الْغَدَاةِ حِينَ يَعْرِفُ الرَّحُلُ جَلِيسَهُ ، وَكَانَ يَقْتَلُ مَنْ صَلاَةً الْعَدَاةِ حَينَ يَعْرِفُ اللَّهُ اللَّهُ عَلَيْهِ .

166. Narrated Abû Barzah (RAA): 'The Messenger of Allâh sused to pray the 'Asr prayer at a time, after which a man could go to his dwelling in the outskirts of Madînah (and arrive) while the sun was still hot and bright. The Prophet it liked to delay the 'Ishâ' prayer, and he disliked sleeping before it and talking after it. The Prophet used to leave (the mosque, or turn to those praying behind him) after Fajr prayer, when a man could recognize the person sitting beside him (i.e. because the morning light had broken), and he used to recite between 60 to 100 verses.' Agreed upon.

١٦٧ ـــ وَعِـــنْدَهُمَا مِنْ حَدِيثِ جَابِرٍ : وَالْعِشَاءَ أَحْيَانًا يُقَدِّمُهَا ، وَأَحْيَانًا يُؤَخِّرُهَا : إِذَا رَآهُــــمُ اَحْتَمَعُوا عَجَّلَ ، وَإِذَا رَآهُمُ أَبْطَأُوا أَخَّرَ ، وَالصُّبْحُ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يُصَلِّيَهَا بِغَلَس .

167. Al-Bukhârî and Muslim transmitted on the authority of Jâbir (RAA): 'Sometimes he se would hasten the Ishâ' and some-

<sup>64-</sup> I.e. pray it earlier, at the beginning of the time of 'Ishâ'

times he would delay it. He would hasten the 'Ishâ' if he found people gathered (in the mosque), and if he noticed that they were lingering he would delay it. As for the Fajr prayer, the Prophet \*\* would pray it while it was still dark."

168. Muslim transmitted on the authority of Abû Mûsâ: "The Prophet sordered for the *Iqâmah* (the call for the performance of the prayer) of the *Fajr* prayer to be pronounced, when the day broke and people could hardly recognize each another."

169. Narrated Râfi' bin Khadîj (RAA): 'We prayed the *Maghrib* prayer with the Messenger of Allâh **\$\square\$**, and one of us would leave (afterwards) and would still be able to see where he had shot his arrow (because there was still light in the sky).

170. Narrated 'Â'ishah (RAA): 'One night, Allâh's Messenger delayed the 'Ishâ' prayer, till a good part of the night had gone (almost one third), then he came out and prayed and said, "This would be the proper time for it,65 if it was not too much of a hardship on my nation.66" Related by Muslim.

<sup>65-</sup> This is the chosen time and the best for it.

<sup>66-</sup> I.e. I would have delayed it until that time.

١٧١ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «إِذَا اشْـــتَدَّ الْحَـــرُّ فَأَبْرِدُوا بِالصَّلاَةِ ، فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْحِ جَهَنَّمَ». مُتَّفَقٌ عَلَيْه .

171. Narrated Abû Hurairah (RAA): The Prophet said, "If the heat becomes extreme, delay the prayer (i.e. <u>Dhuhr)</u> until it becomes cool, as extreme heat is from the fragrance of Hell." Agreed upon.

١٧٢ ـــ وَعَنْ رَافِعِ بْنِ خَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «أَصْبِحُوا بِالصُّبْحِ فَإِنَّهُ أَعْظَمُ لأُجُورِكُمْ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التّرْمذيُّ وَابْنُ حَبَّانَ .

172. Narrated Râfi' bin Khadîj (RAA): The Prophet said, "Observe the morning prayer till daybreak (i.e. prolong the recital of Qur'ân in prayer, so that you remain in prayer until daybreak), as your reward will be greater." Related by the five Imâms.

١٧٣ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَنْ أَدْرَكَ مِنَ الصَّبْحِ رَكْعَةً قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ فَقَدْ أَدْرَكَ الْصَّبْحَ ، وَمَنْ أَدْرَكَ وَكَ الْعَصْرَ». مُتَّفَقٌ عَلَيْهِ .
 أَدْرَكَ وَكُعَةً مِنَ الْعَصْرِ قَبْلَ أَنْ تَعْرُبَ الشَّمْسُ فَقَدْ أَدْرَكَ الْعَصْرَ». مُتَّفَقٌ عَلَيْهِ .

173. Narrated Abû Hurairah (RAA): The Prophet said, "Whoever catches one rak'ah of the Fajr prayer before sunrise, he has caught the Fajr prayer, and whoever catches one rak'ah of the 'Asr prayer before sunset, he has caught the 'Asr prayer." Agreed upon.

١٧٤ ـــ وَلَمُسْـــلِم عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - نَحْوُهُ ، وَقَالَ : «سَجْدَةٌ» بَدَلَ
 «رَكْعَةٍ» ، ثُمَّ قَالَ : وَالسَّجْدَةُ إِنَّمَا هِيَ الرَّكْعَةُ .

174. Muslim transmitted on the authority of 'Â'ishah (RAA): a similar narration where the Prophet said, "One prostration" instead of "rak'ah" and then said, 'a prostration means a rak-'ah.'

١٧٥ \_ وَعَنْ أَبِي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ مَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ صَلاَةَ بَعْدَ الصَّبْحِ حَتَّى تَطْلُعَ الشَّمْسُ ، وَلاَ صَلاَةً بَعْدَ الْعَصْرِ حَتَّى تَغِيبَ الشَّمْسُ». مُتَّفَقٌ عَلَيْهِ ، وَلَفْظُ مُسْلِمٍ : «لاَ صَلاَةَ بَعْدَ صَلاَةً الْفَحْرِ».
 صَلاَةِ الْفَحْرِ».

175. Narrated Abû Sa'îd al-Khudrî (RAA): I heard the Messenger of Allâh say, "There is no prayer after the Fajr prayer until the sun rises and there is no prayer after the 'Asr prayer until the sun sets." Agreed upon. Muslim reported in his narration, "No prayer is to be performed after the Fajr prayer."

١٧٦ ـــ وَلَـــهُ عَنْ عُقْبَةَ بْنِ عَامِرٍ : ثَلاَثُ سَاعَات كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَــــلَّمَ يَنْهَانَا أَنْ نُصَلِّيَ فِيهِنَّ ، وَأَنْ نَقْبُرَ فِيهِنَّ مَوْتَانَا : «حِينَ تَطْلُغُ الشَّمْسُ بَازِغَةً حَـــتَّى تَـــرْتَفِعَ ، وَحِينَ يَقُومُ فَائِمُ الظَّهِيرَةِ ، حَتَّى تَزُولَ الشَّمْسُ ، وَحِينَ تَتَضَيَّفُ الشَّمْسُ لِلْغُرُوبِ».

176. Narrated 'Uqbah bin 'Âmir: "There are three times during which the Prophet sprohibited us from praying or burying our deceased: from sunrise until the sun has risen(a spear's length above the horizon), when the sun is at its meridian, and when the sun is setting until it has completely set." Related by Muslim.

177. Ash-Shâfi'î transmitted the second case (prohibition of prayer when the sun is at its meridian), in a narration by Abû Hurairah, but through a weak chain of narrators. He added, 'with the exception of Friday."

 Abû Dawûd transmitted a similar narration on the authority of Abû Qatâdah. ١٧٩ ــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا بَنِي عَسَبْدِ مَــنَافٍ ، لاَ تَمْتَعُوا أَحَدًا طَافَ بِهَذَا الْبَيْتِ وَصَلَّى أَيَّةَ سَاعَةٍ شَاءَ مِنْ لَيْلٍ أَوْ نَهَارٍ». رَوَاهُ الْخُمْسَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ ، وَابْنُ حَبَّانَ .

179. Narrated Jubair bin Mut im (RAA): The Prophet said, "O tribe of 'Abd Manâf, do not prevent anyone from circumambulating this house (the Ka'bah) or from praying therein at any time they wish." Related by the five Imâms. At-Tirmidhî and Ibn Hibbân graded it as <u>Sahîh</u>.

١٨٠ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «الشَّـــفَقُ الْحُمْرَةُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ ابْنُ حُزْيَمَةَ . وَغَيْرُهُ وَقَفَهُ عَلَى ابْن عُمَرَ .

180. Narrated Ibn 'Umar (RAA): The Prophet ﷺ said, "The evening twilight is its redness (on the horizon)." Related by ad-Dârqutnî and declared authentic by Ibn Khuzaimah.

١٨١ ــ وَعَــنْ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّ اللَّهُ عَنْهُمَا مَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّ اللَّهُ عَلَّــيْهِ وَسَــلَّمَ : «الْفَحْـرُ فَجُرْانِ : فَجُرْ يُحَرِّمُ الطَّعَامُ وَتَحِلُّ فِيهِ الصَّلَاةُ ، وَفَجْرٌ تَحُرَيْمَةَ تَحْـرُهُمْ فِــيهِ الصَّسَلاةُ - أَيْ صَلاَةُ الصَّبْحِ - وَيَحِلُّ فِيهِ الطَّعَامُ». رَوَاهُ ابْنُ خُزَيْمَةَ وَالْحَاكُمُ وَصَحَّحَاهُ .

181. Narrated Ibn 'Abbâs (RAA): The Prophet said, "The dawn time, is in reality, two dawns (i.e. two times), one in which eating is <u>Harâm</u> (unlawful)<sup>67</sup> and prayer is permissible<sup>68</sup>, and the other is when prayer (i.e. the Fajr prayer) is <u>Harâm</u> (prohibited) and eating is permissible." Related by Ibn Khuzaimah and al-<u>H</u>âkim and graded it as <u>Sahîh</u>.

<sup>67-</sup> I.e. for the person intending to fast, that he should stop eating.

<sup>68-</sup> I.e. The time for praying Fajr is due.

١٨٢ ــ وَلِلْحَــاكِمِ مِــنْ خَدِيـــثِ جَابِرٍ نَحْوُهُ ، وَزَادَ فِي الَّذِي يُحَرِّمُ الطُّعَامَ : «إِنَّهُ كَذَنَبِ السِّرْحَانِ». ﴿إِنَّهُ كَذَنَبِ السِّرْحَانِ».

182. Al-<u>H</u>âkim transmitted a similar narration on the authority of Jâbir, and added that in which eating is prohibited, **It** (the streaks of light of the true dawn) widely spreads on the horizon,' and the other, **It** is like the wolf's tail.<sup>69</sup>"

١٨٣ ـــ وَعَـــنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَفْضَلُ الأَعْمَالِ الصَّلاَةُ فِي أَوَّلِ وَقْتِهَا». رَوَاهُ التَّرْمِذِيُّ وَالْحَاكِمُ ، وَصَحَّحَاهُ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ .

183. Narrated Ibn Mas'ûd (RAA): The Prophet said, "The best of deeds, is to offer prayers at the beginning of their appointed times." Related by at-Tirmidhî and al-<u>H</u>âkim, who an authenticated it.

١٨٤ ـــ وَعَـــنْ أَبِـــي مَحْذُورَةَ أَنَّ النَّبِيُّ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَوَّلُ الْوَقْتِ رِضْــــوَانُ اللَّـــهِ ، وَأَوْسَـــطُهُ رَحْمَـــةُ اللَّهِ ، وَآخِرُهُ عَفْوُ اللَّهِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِسَنَدِ ضَعِيفٍ جِدًّا .

184. Narrated Abû Mahdhûrah (RAA): The Prophet said, "Praying at the earliest time for prayer (after the Adhân) is the act, which pleases Allâh, if you pray at the middle time you will be granted Allâh's mercy, and if you pray at the latest time (just before the next prayer) Allâh will grant you His forgiveness." Related by ad-Dârqutnî with an extremely weak chain of narrators.

١٨٥ ـــ وَلِلتُّرْمِذِيُّ مِنْ حَدِيثِ ابْنِ عُمَرَ نَحْوُهُ ، دُونَ الأَوْسَطِ ، وَهُوَ ضَعِيفٌ أَيْضًا.

185. At-Tirmidhî transmitted on the authority of Ibn 'Umar a similar narration, but without the middle time, and it is also a

<sup>69-</sup> i.e. the light that spreads vertically up into the sky, and is followed by darkness, because it is not really the dawn light. Between both dawns, there is almost an hour's time.

١٨٦ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ صَلاَةَ بَعْدَ الْفَحْرِ إِلاَّ سَجْدَتَيْنِ». أَخْرَجَهُ الْحَمْسَةُ إِلاَّ النَّسَائِيَّ وَفِي رِوَايَةٍ عَبْدِ الرَّزَّاقِ : «لاَ صَلاَةَ بَعْدَ طُلُوعِ الْفَحْرِ إِلاَّ رَكْعَتَيِّ الْفَحْرِ».

186. Narrated Ibn 'Umar (RAA): The Messenger of Allâh ﷺ said, 'No prayer is to be said after (the beginning of) Fajr (time), except two prostrations (rak'ât).''" Related by the five Imâms. In the narration of 'Abdur-Razzâq, "No prayer is to be said after the true dawn has begun, except the two rak'ât of al-Fajr prayer."

Ad-Dârquţnî transmitted a similar narration on the authority of 'Amro bin al-Âs (RAA).

١٨٨ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعَصْرَ ، ثُمَّ دَخَلَ بَيْتِي ، فَصَلَّى رَكْعَتَيْنِ ، فَسَأَلْتُهُ ، فَقَالَ : «شَعْلْتُ عَنْ رَكْعَتَيْنِ ، فَسَأَلْتُهُ ، فَقَالَ : «شَعْلْتُ عَنْ رَكْعَتَيْنِ بَعْدَ الظَّهْرِ فَصَلَّيْتُهُمَا الآنَ» ، فَقُلْتُ : أَفَنَقْضِيهِمَا إِذَا فَاتَتَا ؟ قَالَ : «لاّ» عَنْ رَكْعَتَيْنِ بَعْدَ الظَّهْرِ فَصَلَّيْتُهُمَا الآنَ» ، فَقُلْتُ : أَفَنَقْضِيهِمَا إِذَا فَاتَتَا ؟ قَالَ : «لاّ» أَخْرَجَهُ أَخْمَدُ .

188. Narrated Umm Salamah (RAA): "The Messenger of Allâh prayed the 'Asr prayer, and then came into my house, and prayed two rak'ât. Thereupon I asked him (about what he had just prayed), and he replied, "I was busy (doing something) to pray the two rak'ât after <u>Dhuhr</u> (until it was 'Asr time) so I prayed them now." Then I asked him, 'Shall we observe them if we missed them (at their due time)? He replied, 'No.' Related by Ahmad.

<sup>70-</sup> As they are both narrated by Ya'qûb bin al-Walîd al-Madanî, Imâm Ahmad reported him to be one of the big liars in <u>Hadîth</u>, and Ibn <u>H</u>ibbân said that he used to fabricate <u>Hadîth</u>.

<sup>71-</sup> The two rak'ah here refer to voluntary prayer to be prayed at dawn time, i.e. before the Fajr prayer.

#### ١٨٩ ـــ وَلَأْبِي دَاوُدَ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - بِمُعّْنَاهُ .

189. Abû Dawûd transmitted on the authority of 'Â'ishah (RAA) a narration to the same effect.

#### بَسابُ الأَذَان

#### Chapter II: The Call to Prayer (Adhân)

١٩٠ ــ عَــنْ عَــبْد الله بْنِ زَيْد بْنِ عَبْد رَبّه قَالَ : طَافَ بِي - وَأَنَا نَائِم - رَجُلٌ فَقَــالَ : ثَقُــولُ : اللّهُ أَكْبَرُ اللّهُ أَكْبَرُ ، فَذَكَرَ الأَذَانَ - بِتَرْبِيعِ التَّكْبِيرِ بِغَيْرِ تَرْجِيعٍ ، وَالإِقَامَةُ فُرَادَى ، إِلاَّ قَدْ قَامَتِ الصَّلاةُ - قَالَ : فَلَمّا أَصْبَحْتُ أَتَيْتُ رَسُولَ اللّهِ صَلّى اللّهِ عَلَى اللللّهِ عَلَى اللّهِ عَلَى الللّهُ عَلَى اللّهِ عَلَى الللّهِ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهِ اللّهِ عَلَى اللّهِ اللّهِ اللّهِ عَلَى اللّهِ اللّهِ عَلَى الللّهِ عَلَى اللّهِ اللّهِ اللّهِ عَلَى اللللّهِ عَلَى اللّهِ عَلَى الللّهِ اللّهِ الللّهِ عَلَى الللّهِ الللّهِ الللّهِ الللّهِ الللّهِ اللّهِ الللّهِ اللللّهُ اللّهِ الللّهِ الللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ

190. Narrated 'Abdullâh bin Zaid bin 'Abd Rabbih, 'While I was sleeping, a man came to me and said, 'Say Allâhu Akbar! Allâhu Akbar! (Allâh is the Greatest),' and he mentioned the wording of the call to prayer, repeating the Takbîr four times without Tarjî' (repeating the rest of the phrases of the Adhân twice), and the Iqâmah once,<sup>72</sup> except for the phrase, qad Qâmatussalâh<sup>73</sup> (which is said twice). When the morning came, I went to the Messenger of Allâh (to tell him what I had seen). He said, "Your dream is true..." Related by Ahmad and Abû Dawûd, At-Tirmidhî and Abû Khuzaimah authenticated it<sup>74</sup>.

<sup>72-</sup> i.e. saying each phrase of the Adhân once, apart from the Takbîr which is said twice.

<sup>73-</sup> The time for performing the prayer has arrived.

<sup>74-</sup> When the Prophet 蹇 emigrated to Madînah and built his mosque, the number of Muslims increased, and they were no longer afraid to assemble to perform prayers in public. The Prophet 蹇 consulted his Companions about the best way to announce the prayer. Some mentioned raising a banner that everybody could see, others suggested lighting a fire, but the Prophet 霽 rejected the idea as this act is limited to the Magians who worshipped fire. Some also suggested using a bell or a tru-mpet like the Christians and the Jews, but this was also rejected by the Prophet 霽 as they would be imitating them. But the Messenger of Allâh 奚

١٩١ ـــ وَزَادَ أَحْمَـــدُ فِـــي آخِرِهِ قِصَّةَ قَوْلِ بِلاَلٍ فِي أَذَانِ الْفَحْرِ : «الصَّلاَةُ خَيْرٌ مِنَ النَّوْم».

191. Ahmad added to the call to prayer (Adhân), what Bilâl used to say in the Fajr prayer, "Prayer is better than sleep."

192. Ibn Khuzaimah transmitted on the authority of Anas (RAA): 'It is part of the *Sunnah* that when the one who calls to prayer says in the *Fajr* prayer, '*Hayya 'alal-Falâh* (come to success), he must then say, 'Prayer is better than sleep.'

١٩٣ ــ وَعَنْ أَبِي مَحْذُورَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَّمَهُ الأَذَانَ ، فَذَكَــرَ فِــيهِ التَّرْجِيعَ . أَخْرَجَهُ مُسْلِمٌ ، وَلَكِنْ ذَكَرَ التَّكْبِيرَ فِي أَوَّلِهِ مَرَّتَيْنِ فَقَطْ . وَرَوَاهُ الْخَمْسَةُ فَذَكَرُوهُ مُرَبَّعًا .

193. Narrated Abû Mahdhûrah (RAA): that the Messenger of Allâh ﷺ taught him the Adhân, and he mentioned Tarjî' (repeating the rest of the phrases of the Adhân twice) in the Adhân. Rel-

thought for a while and said, 'Aren't the Christians the nearest in love to the believers (the Muslims)?' (sûrah al-Mâ'idah), Isn't it less dangerous to do like the Christians than the Jews? Why don't we use a bell until Allâh tells us about the best thing to do.' He ordered a bell to be made, but 'Umar suggested that a man should stand at the door of the mosque or a high place to call to the prayer in a loud voice. The Prophet 🕸 agreed and ordered Bilâl to call for the pray saying, 'Come to congregational prayer." People returned home thinking about this issue, and 'Abdullâh bin Zaid saw a dream as he narrates, "I saw a man carrying a bell in his hand, I asked him: 'Would you sell me this bell?" The man asked, 'What do you need the bell for?' I answered, "I would call the people to prayer." The man then said, 'Shall I tell you something better?" I said, "Certainly.." He said, 'Say Allâhu Akbar....' When he told the Prophet 3 about the dream, he ordered him to go to Bilâl and tell him to make the call for the prayer  $(Adh\hat{a}n)$ , for he has the best voice. When 'Umar (RAA) heard the Adhân, he came out with his cloak, saying, 'By the One who has sent you with the truth, I saw something similar to what he saw in my dream.' The Prophet & then said, "All Praise be to Allâh."

ated by Muslim, but he mentioned the  $Takb\hat{\imath}r$  "Allâh is the Greatest," twice only at its beginning, while the five Imâms related the  $\underline{H}ad\hat{\imath}th$  but mentioned that the  $Takb\hat{\imath}r$  is said four times at the beginning.

١٩٤ ــ وَعَــنْ أَنسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أُمِرَ بِلاَلٌ أَنْ يَشْفَعَ الأَذَانَ شَفْعًا ، وَيُوتِرَ الإِقَامَةَ ، إِلاَّ الإِقَامَةَ ، يَعْنِي : إِلاَّ قَدْ قَامَتِ الصَّلاَةُ». مُتَّفَقٌ عَلَيْهِ ، وَلَمْ يَذْكُرْ مُسْلِمٌ الإِسْتِثْنَاءَ .

194. Narrated Anas (RAA): 'Bilâl was ordered to repeat the phrases of the call to prayer (Adhân) twice, and the phrases of the Iqâmah once, except for the phrase 'qad Qâmatussalâh' (the time for performing the prayer has come). Agreed upon.

195. In another narration by an-Nasâ'î, "The Prophet ﷺ ordered Bilâl."

196. Narrated Abû Juhaifah (RAA), 'I saw Bilâl calling for the prayer, and I saw the movement of his mouth from this side to that side,<sup>75</sup> and his fingers were in his ears.' Related by Ahmad and At-Tirmidhî.

197. In a version by Ibn Mâjah he said, 'He put his fingers in his ears.'

<sup>75-</sup> He means that Bilâl was turning his head, to the right upon saying 'Haya 'alaṣ-ṣalâh' (Come to the prayer) and to the left upon saying 'Haya 'alal-Falâh' (Come to success).

198. In the narration of Abû Dawûd, 'When Bilâl reached the phrase, '<u>Haya</u> 'alas-salâh (Come to the prayer), he turned his neck to the right and the left, but did not turn himself.' The original full narration of this <u>Hadîth</u> is found in Al-Bukhârî and Muslim.

199. Narrated Abû Mahdhûrah (RAA): that the Messenger of Allâh # liked his voice, so he taught him the call to prayer.' Related by Ibn Khuzaimah.

200. Narrated Jâbir bin Samurah, 'I prayed along with the Prophet the two 'Îd (feast) festival prayers, not only once or twice, without Adhân or Iqâmah.' Related by Muslim.

 Al-Bukhârî and Muslim transmitted something to the same effect on the authority of Ibn 'Abbâs (RAA).

202. Narrated Abû Qatâdah (RAA): in a long tradition when they missed the prayer because of sleeping, 'and then Bilâl said the Adhân, and the Prophet prayed as he used to do every day.' Related by Muslim.

203. Muslim related on the authority of Jabir (RAA): that the

Prophet  $\mathcal{Z}$  came to al-Muzdalifah and prayed the *Maghrib* and *Ishâ* prayers with one *Adhân* and two *Iqâmas*.

٢٠٤ \_ وَلَــهُ عَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «حَمَعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ بَيْنَ الْمَعْرِبِ وَالْعِشَاءِ بإِقَامَةٍ وَاحِدَةٍ» ، وَزَادَ أَبُو دَاوُدَ : لِكُلِّ صَلاَةٍ ، وَفِي رِوَايَةٍ لَهُ : وَلَمْ يُنَادِ فِي وَاحِدَةٍ مِنْهُمَاً».

204. In another narration by Muslim on the authority of Ibn Umar, 'The Prophet & combined the Maghrib and Ishâ' prayers with one Iqâmah.' Abû Dawûd added, 'Each prayer with an Iqâmah.' In another version by Abû Dawûd, 'He did not (order the caller to) call for the prayer in any of them.'

٢٠٥ ــ وَعَنِ ابْنِ عُمَرَ وَعَائِشَةَ - رَضِيَ اللَّهُ عَنْهُمْ - قَالاً: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمْ - قَالاً: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِنَّ بِلاَلاً يُؤَذِّنُ بِلَيْلٍ ، فَكُلُوا وَاشْرَبُوا حَتَّى يُنَادِيَ ابْنُ أُمِّ مَكَنُّومٍ»،
 وَكَــانَ رَجُلاً أَعْمَى لاَ يُنَادِي ، حَتَّى يُقَالَ لَهُ : أُصْبَحْتَ ، أَصْبَحْتَ . مُتَّفَقٌ عَلَيْهِ ،
 وَفِي آخِرِهِ إِذْرَاجٌ .

205. Narrated Ibn 'Umar and 'Â'ishah (RAA): "Allâh's Messenger said, "Bilâl says the Adhân (for the Fajr) during the night, so eat and drink until you hear the Adhân of Ibn Umm Maktûm." The narrator added that Ibn Umm Maktûm was a blind man who did not call for the prayer, till someone told him, "The day has dawned, the day has dawned.' Agreed upon.

٢٠٦ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ بِلاَلاَّ أَذَّنَ قَبْلَ الْفَجْرِ ، فَأَمَرَهُ النَّــبِيُّ صَــلُى اللَّـهُ عَلَــيْهِ وَسَلِّمَ أَنْ يَرْجِعَ ، فَيُنَادِيَ : «أَلاَ إِنَّ الْعَبْدَ نَامَ». رَوَاهُ أَبُو دَاوُدُ ، وَضَعَّفَهُ .

206. Narrated Ibn 'Umar (RAA): that Bilâl called for the prayer before the breaking of dawn, and the Prophet therefore ordered him to go back and say, 'Lo! The servant of Allâh has slept.' Related by Abû Dawûd, who declared it to be weak. ٢٠٧ ـــ وَعَنْ أَبِي سَعِيدِ الْخُدْرِيُّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا سَمَعْتُمُ النَّدَاءَ فَقُولُوا مِثْلَ مَا يَقُولُ الْمُؤَذِّنُ». مُتَّفَقٌ عَلَيْهِ .

207. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "When you hear the Adhân repeat what the caller is saying." Agreed upon.

 Al-Bukhârî related a similar narration on the authority of Mu´awiyah.

209. Muslim transmitted on the authority of 'Umar (RAA): the virtue of repeating what the caller is saying, word for word, except when the caller says, 'Hayya 'alal-Falâh' (come to success), 'Haya 'alas-salâh' (Come to the prayer), he then says, wa lâ hawala wa lâ Quwata illâ billâh-'Aliyyil-'Adheem.' (There is no power or might except by Allâh's leave).

٢١٠ ــ وَعَـــنْ عُـــثْمَانَ بْــنِ أَبِي الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : يَا رَسُولَ اللَّهِ الْحَلْنِي إِمَامَ قَوْمِي . فَقَالَ : «أَنْتَ إِمَامُهُمْ ، وَاقْتَدَ بِأَضْعَفِهِمْ ، وَاتَّخِذْ مُؤذِّنًا لاَ يَأْخُذُ عَلَى أَذَانِهِ أَخْرًا». أَخْرَجَهُ الْخَمْسَةُ ، وَحَسَّنَهُ التَّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

210. Narrated 'Uthmân bin Abûl 'Âs (RAA): that he said, 'O Messenger of Allâh, appoint me as the Imâm of my people.' He replied , "You are their Imâm. Be careful about the weak amongst them,76 and appoint a caller to the prayer, who does not accept payment for his Adhân." Related by the five Imâms and At-Tirmidhî authenticated it.

<sup>76-</sup> i.e. take into consideration,-when you pray, the weakest among them (whether sick or old), so as not to lengthen the prayer beyond their ability

٢١١ \_ وَعَــنْ مَالِكِ بْنِ الْحُويْرِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ لَنَا النَّبِيُّ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ لَنَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْوَذُنْ لَكُمْ أَحَدُكُمْ» الْحَدِيثَ ، اللَّهِ عَلَــيْهُ وَسَــلَّمَ : «إِذَا حَضَــرَتِ الصَّلاَةُ فَلْيُؤَذُنْ لَكُمْ أَحَدُكُمْ» الْحَدِيثَ ، أَخْرَجَهُ السَّبْعَةُ .

211. Narrated Mâlik Ibn Al-<u>H</u>uwairith (RAA): The Messenger of Allâh said, 'When the time for prayer is due, let one of you call the *Adhân*." Related by the seven Imâms.

٢١٢ ــ وَعَــنْ جَابِرٍ ~ رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِبِلاَل : «إِذَا أَذْنْتَ فَتَرَسَّلْ ، وَإِذَا أَقْمَتَ فَاحْدُرْ ، وَاجْعَلْ بَيْنَ أَذَانِكَ وَإِقَامَتِكَ مِقْدَارَ مَا يَفْرُغُ الآكِلُ مِنْ أَكْلِهِ». الْحَدِيثَ رَوَاهُ التّرْمِذِيُّ وَضَعَّفَهُ .

212. Narrated Jâbir (RAA): The Messenger of Allâh said to Bilâl, "When you call the Adhân, you should pause between each phrase, but when you say the Iqâmah, be quick, and leave enough time between the Adhân and the Iqâmah for one who is eating to finish his food." Related by At-Tirmidhî who declared it to be weak.

٢١٣ ـــ وَلَــهُ عَـــنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يُؤَذِّنُ إِلاَّ مُتَوَضِّيءٌ» ، وَضَعَّفَهُ أَيْضًا .

213. Narrated Abû Hurairah (RAA): The Prophet said, 'None should call for the prayer unless he has ablution." Related by At-Tirmidhî who declared it to be weak.

٢١٤ ـــ وَلَهُ عَنْ زِيَادِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَمَنْ أَذَّنَ فَهُوَ يُقَيمُ». وَضَعَّفَهُ أَيْضًا .

214. Narrated Ziâd bin al-<u>H</u>ârith (RAA): The Prophet said, 'Whoever calls the *Adhân* should also call for the *Iqâmah*." Related by At-Tirmidhî and he also declared it to be weak.

٢١٥ ـــ وَلَأبِـــي دَاوُدَ مِـــنْ حَديــــث عَبْدِ اللّهِ بْنِ زَيْدِ أَنّهُ قَالَ : أَنَا رَأَيْتُهُ - يَعْنِي الأَذَانَ - وَأَنَا كُنْتُ أُريدُهُ . قَالَ : «فَأَقَمْ أَنْتَ» ، وَفيه ضَعْفٌ أَيْضًا .

215. Abû Dawûd related on the authority of 'Abdullâh bin

Zaid, 'I saw it (i.e. the Adhân in a dream) and I wished to call it.

The Prophet , "Then you call the Iqâmah." It is also weak.

ُ ٢١٦ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤذَّنْ أَمْلَكُ بِالأَذَانِ ، وَالإِمَامُ أَمْلَكُ بِالإِقَامَة». رَوَاهُ ابْنُ عَديٌّ وَضَعَّفَهُ .

216. Narrated Abû Hurairah (RAA): The Prophet said, The call maker is the one who is responsible for the Adhân<sup>77</sup>, and the Imâm is the one responsible for the Iqâmah."<sup>78</sup> Related by Ibn 'Adî who declared it to be weak.

Al-Baihaqî transmitted something similar on the authority of 'Alî.

٢١٨ ـــ وَعَـــنْ أَنْـــس - رَضــــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَا يُرَدُّ الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

218. Narrated Anas (RAA): The Prophet ﷺ said, 'A supplication made between the Adhân and the Iqâmah is never rejected." Related by an-Nasâ'î, Ibn Khuzaimah, who authenticated it.

٢١٩ ــ وَعَنْ جَابِر - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «مَنْ قَالَ حِينَ يَسْمَعُ النِّدَاءَ: اللَّهُمَّ رَبَّ هَذِهِ الدَّعْوَةِ التَّامَةِ ، وَالصَّلاَة الْقَائِمَة ، آت مُحَمَّدًا الْوَسِيلَة وَالْفَضِيلَة ، وَابْعَثُهُ مَقَامًا مَحْمُودًا اللَّذِي وَعَدْتُهُ ، حُلَّتُ لَهُ شُفَاعَتِي مُحَمَّدًا الْوَسِيلَة وَالْفَضِيلَة ، وَابْعَثُهُ مَقَامًا مَحْمُودًا اللَّذِي وَعَدْتُهُ ، حُلَّتُ لَهُ شُفَاعَتِي يَوْمَ الْقَيَامَة». أَخْرَجَهُ الأَرْبَعَةُ .

219. Narrated Jâbir (RAA): The Prophet said, "Whoever says, when he hears the Adhân: 'Oh Allâh, Lord of this per-

<sup>77-</sup> He is entrusted him with the time of the Adhân, and it is his responsibility to decide the time for prayer.

<sup>78-</sup> No one should call the Iqamah except when the Imam asks him to do so.

fect call<sup>79</sup> and the established prayers,<sup>80</sup> grant Muhammad the status of Wasîlah<sup>81</sup> and the most virtuous place,<sup>82</sup> and raise him to a praised position,<sup>83</sup> You have promised him,' will be entitled to my intercession on the Day of Judgment." Related by the four Imâms.

#### بَسَابُ شُسِرُوطِ الصَّسَلاَةِ Chapter III: The Prerequisites of prayer

٢٢٠ ــ عَنْ عَلِيٍّ بْنِ طَلْقِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا فَسَـــا أَحَدُكُمْ فِي الصَّلاَةِ فَلْيَنْصَرِفْ ، وَلْيَتَوَضَّأُ ، وَلْيُعِدِ الصَّلاَةَ».
 رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

220. Narrated 'Alî bin Talq (RAA): Allâh's Messenger said, "When any of you passes wind during prayer, he must leave the prayer, perform ablution and repeat the prayer." Related by the five Imâms and was graded as authentic by Ibn Hibbân.

٢٢١ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «لاَ يَقْــبَلُ اللَّــهُ صَـــلاَةَ حَائِضٍ إِلاَّ بِحِمَارٍ». رَوَاهُ الْحَمْسَةُ إِلاَّ النَّسَائِيُّ وَصَحَّحَهُ
 ابْنُ خُزَيْمَةَ .

221. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ said, "Allâh does not accept the prayer of an adult woman unless

<sup>79-</sup> This most probably refers to of Monotheism, (which is part of the Adhân) and it is perfect as it antagonizes atheism and associating others with Allâh in worship (polytheism), and it is also perfect as it is preserved from being changed or altered. (Ibn Hajar in Fath al-Bârî).

<sup>80-</sup> The established prayer may refer to its being performed constantly (as it is always called for) or may also refer to the prayer about to be performed. (see Fath al-Bârî).

<sup>81-</sup> See the glossary for an explanation of its meaning.

<sup>82-</sup> This refers to a status, which is higher than that of all Allâh's servants.

<sup>83-</sup> It refers to Intercession on behalf of his followers on the Day of Judgment.

she is wearing a head covering (Khimâr, hijâb)." Related by the five Imâms and was declared as authentic by Ibn Khuzaimah.

٢٢٢ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ :
 ﴿إِذَا كَـــانَ النَّوْبُ وَاسِعًا فَالْتَحِفْ بِهِ - يَعْنِي فِي الصَّلاَةِ». وَلِمُسْلِمٍ : ﴿فَحَالِفْ بَيْنَ طَرَفَيْهِ ، وَإِنْ كَانَ ضَيِّقًا فَاتَّزِرْ بِهِ». مُتَّفَقٌ عَلَيْهِ .
 طَرَفَيْهِ ، وَإِنْ كَانَ ضَيِّقًا فَاتَّزِرْ بِهِ». مُتَّفَقٌ عَلَيْهِ .

222. Narrated Jâbir (RAA): Allâh's Messenger said, "If the garment is large enough, wrap it round your body<sup>84</sup> (when you pray)." And in the narration of Muslim, 'you should have its ends crossed with each other (i.e. if the garment is large) and if it is tight then use it as *Izâr* (tie it round your waist)." Agreed upon.

٢٢٣ ـــ وَلَهُمَا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «لاَ يُصَلِّي أَحَدُكُمْ فِي النَّوْبِ الْوَاحِدِ لَيْسَ عَلَى عَاتَقِهِ مِنْهُ شَيْءٌ».

223. Narrated Abû Hurairah (RAA): Allâh's Messenger said, "None of you must pray in a single garment, with no part of it covering his shoulders." Agreed upon.

٢٢٤ ـــ وَعَـــنْ أُمَّ سَــلَمَةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّهَا سَأَلَتْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَتُصَلِّي الْمَرْأَةُ فِي دِرْعِ وَخِمَارِ ، يِغَيْرِ إِزَارِ ؟ قَالَ : «إِذَا كَانَ الدِّرْغُ سَابِغًا يُغَطِّي ظُهُورَ قَدَمَيْهَا». أَحْرَجَهُ أَبُو دَاوُدٌ . وَصَحَّحَ الْأَئْمَةُ وَقْفَهُ .

224. Narrated Umm Salamah (RAA): that she asked the Messenger of Allâh , 'Can a woman pray in a long shirt (like a night dress) and head covering without *Izâr* (loincloth)?' He said, "If the shirt is long and flowing and covers the top of her feet." Related by Abû Dawûd.

٢٢٥ ـــ وَعَنْ عَامِر بْنِ رَبِيعَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كُنَّا مَعَ النَّبِيِّ صَلَى اللَّهُ عَلَيْهِ
 وَسَـــلَّمَ فِي لَيْلَةٍ مُظْلِمَةٍ ، فَأَشْكَلَتْ عَلَيْنَا الْقِبْلَةُ ، فَصَلَّيْنَا ، فَلَمَّا طَلَعَتِ الشَّمْسُ إِذَا

<sup>84-</sup> Covering the shoulders.

نَحْـــنُ صَلَّيْنَا إِلَى غَيْرِ الْقِبْلَةِ ، فَنَزَلَتْ : {فَأَيْنَمَا تُوَلُّوا فَثَمَّ وَجْهُ اللَّهِ} [الْبَقَرَة : ١١٥] أَحْرَجَهُ التِّرْمَذِيُّ وَضَعَّفَهُ .

225. Narrated 'Âmir bin Rabî'ah (RAA): 'We were with the Prophet (traveling), on a dark night, and the direction of the Qiblah was difficult to determine, so we prayed (without knowing the exact direction of the Qiblah). When the sun rose we were surprised that we had prayed facing a direction other than the Qiblah. Thereupon the verse was revealed, "And to Allâh belongs the east and the west. Wherever you turn yourselves or your faces there is the Face of Allâh." Related by At-Tirmidhî, who declared it to be weak.

٢٢٦ \_ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ». رَوَاهُ التّرْمِذِيُّ وَقَوَّاهُ الْبُخَارِيُّ .

226. Narrated Abû Hurairah (RAA): Allâh's Messenger ﷺ said, "The area (falling between) between the east and the west is considered to be the *Qiblah*." Related by At-Tirmidhî.

٢٢٧ ـــ وَعَـــنْ عَامِرِ بْنِ رَبِيعَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ يُصَلِّي عَلَى رَاحِلَتِهِ حَيْثُ تَوَجَّهَتْ بِهِ». مُتَّفَقٌ عَلَيْهِ ، زَادَ الْبُخَارِيُّ : يُومِيءُ بِرَأْسِهِ - وَلَمْ يَكُنْ يَصْنَعُهُ فِي الْمَكْتُوبَةِ .

227. Narrated 'Âmir bin Râbî'ah (RAA): 'I saw the Messenger of Allâh ﷺ, perform (optional prayer) while riding on his mount (camel), facing whichever direction it (the mount) turned.86' Agre-

<sup>85-</sup> Ibn 'Umar said, 'If you put the west on your right and the east on your left, then the area between them is a Qiblah. This <u>Hadith</u> is a proof that what is required is to face the direction of the Qiblah -i.e. the Ka'bah-and not the actual building or structure, for those who find it difficult to determine its actual position. But this <u>Hadith</u> refers to the people of Madinah and whoever has a position similar to them (i.e. those in Syria, the Arabian Peninsula and Iraq). For the people of Egypt, the Qiblah is between the East and the South (Figh us-Sunnah, as-Sayyid Sâbiq, Chapter of 'prerequisites of prayer').

<sup>86-</sup> I.e. he was not facing the Qiblah, as he was traveling.

ed upon. In the narration of al-Bukhârî, 'he nodded his head slightly,87 and he would not do this in the obligatory prayer.'

228. Narrated Anas Ibn Mâlik (RAA): "When the Messenger of Allâh was on a journey and he wanted to pray voluntary prayers, he turned his mount towards the Qiblah, said the takbîr (Allâhu Akbar) and then prayed towards whichever direction his mount turned to." Related by Abû Dawûd, with a good chain of narrators.

٢٢٩ ــ وَعَـــنْ أَبِــي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الأَرْضُ كُلُّهَا مَسْجِدٌ إِلاَّ الْمَقْبَرَةَ وَالْحَمَّامَ». رَوَاهُ التَّرْمِذِيُّ ، وَلَهُ عِلَّهُ.

229. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "The whole earth is a mosque (i.e. suitable place for performing prayer), with the exception of graveyards and the public baths." Related by At-Tirmidhî, but it has a defect in its chain of narrators.88

٢٣٠ ـــ وَعَـــنِ ابْنِ عُمَر - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى أَنْ يُصَلَّى فِي سَبْعِ مَوَاطِنَ : الْمَزْبَلَةِ ، وَالْمَحْزَرَةِ ، وَالْمَقْبَرَةِ ، وَقَارِعَةِ الطَّرِيقِ ، وَالْحَمَّامِ ، وَمَعَاطِنِ الإبلِ ، وَفَوْقَ ظَهْرِ بَيْتِ اللَّهِ تَعَالَى». رَوَاهُ التَّرْمِذِيُّ وَضَعَّفَهُ .

230. Narrated 'Abdullâh Ibn 'Umar (RAA): 'Allâh's Messenger narrated 'Abdullâh Ibn 'Umar (RAA): Allâh's Messenger said in seven places: dunghills, slaughterhouses, graveyards, in the middle of the road, bathhouses, places where camels kneel to drink, and on the top of Allâh's house (i.e. the Ka'bah). Related by At-Tirmidhî who declared it to be weak.

i.e. for Rukû´ (bowing) and Sujûd (prostration).

<sup>88-</sup> There was a difference of opinion over which is connected to the Prophet a or if the <u>Hadith</u> was <u>Mursal</u> (see <u>Hadith</u> no. 80).

٢٣١ ـــ وَعَـــنْ أَبِـــي مَرْثَد الْغَنَوِيِّ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ تُصَلُّوا إِلَى الْقُبُورُ ، وَلاَ تَحْلسُوا عَلَيْهَا». رَوَاهُ مُسْلَمٌ .

231. Narrated Abû Marthad al-Ghanawî, 'I heard the Messenger of Allâh ﷺ say, "Do not pray facing graveyards and do not sit on them." Related by Muslim.

٢٣٢ ـــ وَعَنْ أَبِي سَعِيد - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا جَاءَ أَحَدُّكُمُ الْمَسْجِدَ ، فَلْيَنْظُرْ ؛ فَإِنْ رَأَى فِي نَعْلَيْهِ أَذَى ، أَوْ قَذَرًا فَلْيَمْسَحْهُ ، وَلَيُصَلِّ فيهمَا». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

232. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "When one of you comes to the mosque, he should turn his shoes (sandals or khuff) over, and examine them. If one finds any dirt (Najâsah) on them, he should rub them against the ground and pray in them." Related by Abû Dawûd and Ibn Khuzaimah graded it as <u>Hadîth Sahîh</u>.

٢٣٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا وَطِئَ أَحَدُكُمُ الأَذَى بِخُفَّيْهِ فَطَهُورُهُمَا التُّرَابُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

233. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, "When any of you treads with his Khuff on something which is unclean (Najis), he should purify them with dust." Related by Abû Dawûd, and Ibn Hibbân graded it as <u>Sahîh</u>.

٢٣٤ ـــ وَعَـــنْ مُعَاوِيَةَ بْنِ الْحَكَمِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ : «إِنَّ هَذِهِ الصَّلاَةَ لاَ يَصَّلُحُ فِيهَا شَيْءٌ مِنْ كَلاَمِ النَّاسِ ، إِنَّمَا هُوَ التَّسْبِيحُ ، وَالتَّكْبِيرُ ، وَقرَاءَةُ الْقُرْآن». رَوَاهُ مُسْلمٌ .

234. Narrated Mu'âwiyah bin al-<u>H</u>akam (RAA): The Prophet said, "Talking to others is not appropriate during prayer, for prayer is for glorifying Allâh (saying Tasbîh), exalting His greatness (saying Allîhu Akbar) and reciting the Qur'ân." Related by Muslim.

٣٣٥ — وَعَنْ زَيْدِ بْنِ أَرْقَمَ أَنَهُ قَالَ: «إِنْ كُنَّا لَنَتَكَلَّمُ فِي الصَّلاَةِ عَلَى عَهْد رَسُولِ اللَّهِ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ ، يُكَلِّمُ أَحَدُنَا صَاحِبَهُ بِحَاجَتِهِ ، حَتَّى نَزَلَتْ : {حَافِظُوا عَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ ، يُكَلِّمُ أَحَدُنَا صَاحِبَهُ بِحَاجَتِهِ ، حَتَّى نَزَلَتْ : {حَافِظُوا عَلَى اللَّهِ عَالَيْهِ ، وَالسَّلَوَةِ الوُسُطَى وَقُومُوا لِلَّهِ قَانتِينَ} [الْبَقَرَة : ٣٣٨] ، فَأُمِرْنَا بِالسَّكُوتِ ، وَنُهِينَا عَنِ الْكَلاَمِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

235. Narrated Zaid bin Arqam (RAA): "We used to talk while we were in prayer, in the lifetime of Allâh's Messenger . A person would speak to the person next to him until the verse was revealed, "Guard strictly the (five obligatory) prayers especially the middle prayer, and stand before Allâh with devout obedience (do not speak with one another)" (2:238). And we were then commanded to observe silence during prayer, and were forbidden to talk." Agreed upon, and the wording is Muslim's.

٢٣٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «التَّسُــبِيحُ لِلـــرِِّ حَالِ ، وَالتَّصْــفِيقُ لِلنِّسَاءِ». مُتَّفَقٌ عَلَيْهِ ، زَادَ مُسْلِمٌ : «فِي الصَّلاَةِ».

236. Narrated Abû Hurairah (RAA): The Prophet said, "Saying subhanallâh is for men, and clapping is for women." Agreed upon. Muslim has the extra phrase in his narration, 'in prayer.'

٢٣٧ ــ وَعَـــنْ مُطَرِّف بْنِ عَبْد اللهِ بْنِ الشِّخِيرِ عَنْ أَبِيهِ قَالَ : «رَأَيْتُ رَسُولَ اللهِ صَـــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ يُصَلِّي ، وَفِي صَدْرِهِ أَزِيرٌ كَأَزِيرِ الْمِرْحَلِ مِنَ الْبُكَاءِ». أَخْرَجَهُ الْخَمْسَةُ إِلاَّ ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

237. Narrated 'Abdullâh Ibn ash-Shikhkhir, 'I saw the Messenger of Allâh praying while his chest was 'buzzing' like the rumbling of a boiler, due to crying.' Related by the five Imâms except for Ibn Mâjah, and Ibn Hibbân authenticated it.

<sup>89-</sup> It is allowed, if there is a need such as alerting the Imâm to a mistake, warning a blind person etc..

٢٣٨ ـــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - فَالَ : «كَانَ لِي مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلْمُ اللَّهُ عَلَى بَكَ يَكُنْ لِي مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَى بِهِ وَسَــــلَّمَ مَدْ عَلَانِ ، فَكُنْتُ إِذَا أَتَيْتُهُ وَهُوَ يُصَلِّي تَنَحْنَحَ لِي». رَوَاهُ النَّسَائِيُّ ، وَابْنُ مَاجَهُ .

238. Narrated 'Alî (RAA): 'I used to visit the Messenger of Allâh twice (every day, at certain times). Whenever I entered to where he was while he was praying, he would clear his throat (as a sign that I may enter). Related by an-Nasâ'î and Ibn Mâjah.

٢٣٩ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «قُلْتُ لِبِلاَلِ : كَيْفَ رَأَيْتَ النَّب النَّـــبِيُّ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَرُدُّ عَلَيْهِمْ حِينَ يُسَلِّمُونَ عَلَيْهِ ، وَهُوَّ يُصَلِّي ؟ قَالَ : يَقُولُ هَكَذَا ، وَبَسَطَ كَفَّهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنِّرْمِذِيُّ وَصَحَّحَهُ .

239. Narrated Ibn 'Umar (RAA), 'I asked Bilâl: "How did you see the Messenger of Allâh \* respond when people greeted him while he was He said, "He would signal to them with his hand." Related by Abû Dawûd and at-Tirmidhî who graded it as <u>Sahîh</u>.

٢٤٠ ـــ وَعَنْ أَبِي قَتَادَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَـــلَّمَ يُصَـــلِّي وَهُـــوَ حَامِلُ أَمَامَةً - بِنْتَ زَيْنَبَ - فَإِذَا سَحَدَ وَضَعَهَا ، وإِذَا قَامَ
 حَمَلَهَا». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «وَهُو يَؤُمُّ النَّاسَ فِي الْمَسْجِدِ» .

240. Narrated Abû Qatâdah (RAA): Allâh's Messenger prayed while carrying Umâmah<sup>90</sup> the daughter of Zainab. the daughter of Allâh's Messenger when he prostrated, he put her down and when he got up from his sujûd (prostration), he carried on her back (on his neck). Agreed upon. Muslim added in his narration,

٢٤١ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «اقْـــتُلُوا الأَسْــوَدَيْنِ فِي الصَّلاَةِ : الْحَيَّةَ ، وَالْعَقْرَبَ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

'While leading the people in prayer in the mosque.'

<sup>90-</sup> She was the daughter of Abul Âag Ibn ar-Rabî ah.

241. Narrated Abû Hurairah (RAA): The Prophet said, "Kill the two black (things): the snake and the scorpion during prayer." Related by the four Imâms, and Ibn Hibbân graded it as authentic.

### بَسابُ ستْسرَة الْمُصلِّب

#### Chapter IV: The Sutrah (or Partition) In Front of One, Who is Praying

٢٤٢ — عَنْ أَبِي جُهَيْمِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ مَاذَا عَلَيْهِ مِنَ الإِثْمِ لَكَانَ أَنْ اللَّهِ عَلَمُ اللَّهُ عَنْهُ عَلَيْهِ مِنَ الإِثْمِ لَكَانَ أَنْ يَدِي الْمُصَلِّي مَاذَا عَلَيْهِ مِنَ الإِثْمِ لَكَانَ أَنْ يَقِيهِ عَلَيْهِ مَاذَا عَلَيْهِ مِنَ الإِثْمِ لَكَانَ أَنْ يَقِيهِ يَقِيهِ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ ، وَوَقَعَ فِي الْبَزَّارِ مِنْ وَجُهْ آخَرَ : «أَرْبُعِينَ خَرِيفًا».

242. Narrated Abû Juhaim bin al-Hârith (RAA): The Prophet said, "If the person who passed in front of another person in prayer knew the the magnitude of his sin he would rather wait for 40 (days, months or years) rather than pass in front of him." Agreed upon, and the wording is al-Bukhârî's. Al-Bazzâr narrated with a different chain of narrators, "fourty autumns."

٢٤٣ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِـــيَ اللَّهُ عَنْهَا - قَالَتْ : سُئِلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ فِـــي غَـــزُوَةٍ تَبُوكَ - عَنْ سُتْرَةٍ الْمُصَلِّي - فَقَالَ : «مِثْلُ مُؤَخِرَةٍ الرَّحْلِ». أَخْرَجَهُ مُسْلِمٌ .

243. Narrated 'Â'ishah (RAA): "Allâh's Messenger k was asked during the expedition of Tabûk about the *sutrah* of the one who is praying. He said, "Something such as the back of the saddle<sup>91</sup> (to be put in front of him)." Related by Muslim.

<sup>91.</sup> The stick which is put at the back of the saddle, for the rider to lean on.

٢٤٤ ــ وَعَنْ سَبْرَةَ بْنِ مَعْبُد الْجُهَنِيِّ قَالَ : قَالَ رُسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لِيَسْتَتِرْ أَحَدُكُمُ فِي الصَّلَاةِ وَلُوَ بِسَهْمٍ». أَخْرَجَهُ الْحَاكِمُ .

244. Narrated Sabrah bin Ma'bad al-Juhanî, The Prophet ﷺ said, "When one of you prays, he should put a sutrah (partition) in front of him, even if it is only an arrow." Related by al-<u>H</u>âkim.

٢٤٥ ــ وَعَنْ أَبِي ذَرِّ الْغِفَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - إِذَا لَمْ يَكُنْ بَيْنَ يَدَيْهِ مَثْلُ مُؤَخِّرة عَلَّى الْمُسْلِمِ - إِذَا لَمْ يَكُنْ بَيْنَ يَدَيْهِ مَثْلُ مُؤَخِّرة الرَّحْلِ - الْمَوْأَةُ ، وَالْحَمَارُ ، وَالْكَلْبُ الأَسْوَدُ». الْحَدِيثُ ، وَفِيهٍ : «الْكَلْبُ الأَسْوَدُ شَيْطَانٌ». أَخْرَجَهُ مُسْلمٌ .

245. Narrated Abu Dharr al-Ghifarî (RAA): Allâh's Messenger said, "When any one of you stands for prayer and there is nothing in front of him (at least) equal to the back of the saddle, as a sutrah, his prayer would be cut off by (the passing of a) woman, an ass, and a black Dog." This narration also has, "The black dog is a devil." Related by Muslim.

246. Narrated Abû Hurairah a similar narration, but without mentioning the dog.

٢٤٧ ـــ وَلَأَبِـــي دَاوُدَ وَالنَّسَائِيِّ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – نَحْوُهُ ، دُونَ آخره ، وَقَيَّدَ الْمَرْأَةَ بِالْحَائِض .

247. Abû Dawûd and an-Nasâ'î related on the authority of Ibn 'Abbâs (RAA): a similar narration without the last sentence, and he mentioned 'The woman having her menses.'

٢٤٨ — وَعَنْ أَبِي سَعِيد الْخَدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى النَّاسِ ، فَأَرَادَ أَحَدُّ أَنْ اللَّسِهُ عَلَىــيْهِ وَسَلَّمَ : «إِذَا صَلَّى أَحَدُّكُمْ إِلَى شَيْءٍ يَسْتُرُهُ مِنَ النَّاسِ ، فَأَرَادَ أَحَدُّ أَنْ

يَحْـــتَازَ بَيْنَ يَدَيْهِ فَلْيَدْفَعْهُ ، فَإِنْ أَبَى فَلْيُقَاتِلَّهُ ، فَإِنَّمَا هُوَ شَيْطَانًّ». مُثَّفَقٌ عَلَيْهِ . وَفِي رَوَايَة : «فَإِنَّ مَعَهُ الْقَرينَ».

248. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, 'If any one of you prays toward a *sutrah* (a barrier) and someone tries to pass in front of him, then push him away. If he refuses, then fight him, for he is a devil." Agreed upon. In another narration, 'For he has his evil companion (Qareen) with him."

٢٤٩ ــ وَعَــن أَبِـي هُرَيْـرَة - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَم قَالَ : «إِذَا صَلَّى أَحَدُكُم فَلْيَجْعَلْ تِلْقَاءَ وَجْهِهِ شَيْئًا ، فَإِنْ لَمْ يَجِدْ فَلْيَنْصِبْ عَصُــا ، فَإِنْ لَمْ يَكُنْ فَلْيَخُطَّ خَطًّا ، ثُمَّ لاَ يَضُرُّهُ مَنْ مَرَّ يَيْنَ يَدَيْه». أَخْرَجَهُ أَخْمَدُ وَابْــن مَا حَــه ، وصَـحَّحَهُ ابْــن حِــيَّان ، ولَمْ يُصِب مَنْ زَعَمَ أَنَهُ مُضْطَرِبٌ ، وَابْــن مَا حَسَنْ .

249. Narrated Abû Hurairah (RAA): The Messenger of Allâh said, 'When one of you prays, he should place something in front of him. If he cannot find anything, he should set up a stick [in front of him]. If he does not have a stick, he should draw a line [on the ground in front of him] then nothing that passes in front of him will harm him." Related by Ahmad and Ibn Mâjah.

٢٥٠ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لا يَقْطَعُ الصَّلاَةَ شَيْءٌ ، وَادْرَأُوا مَا اسْتَطَعْتُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَادْرَأُوا مَا اسْتَطَعْتُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ،
 وَفي سَنَده ضَعْفٌ .

250. Narrated Abû Sa'îd al-Khudrî (RAA): Allâh's Messenger said, "Prayer is not invalidated by anything, but push away[the person who is trying to pass in front of you] to the best of your ability." Related by Abû Dawûd, but there is a weakness in its chain of narrators.

### بَابُ الْحَدِثِ عَلَى الْخُشُوعِ فِي الصَّالَةِ

# Chapter V: Encouraging Incitin (the Muslim) to be Humble during prayer

٢٥١ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُصَلِّيَ الرَّجُلُ مُخْتَصِرًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ ، وَمَعَنَاهُ : أَنْ يَجْعَلَ يَدَهُ عَلَى خَاصِرِتِهِ .

251. Narrated Abû Hurairah (RAA): The Messenger of Allâh prohibited that one puts his hands on his waist during prayer." Agreed upon and the wording is from Muslim.

252. Al-Bukhârî added in his narration on the authority of 'Â'ishah (RAA): "This is what the Jews do in their prayer."

253. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger ﷺ said, "If supper is served, then start with it before praying *Maghrib.*" Agreed upon.

٢٥٤ ـــ وَعَـــنْ أَبِــي ذَرِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا قَامَ أَحَدُكُمْ فِي الصَّلَاةِ فَلاَ يَمْسَحِ الْحَصَى ، فَإِنَّ الرَّحْمَةَ تُواجِهُهُ». رَوَاهُ الْخَمْسَةُ بِإِسْنَادٍ صَحِيحٍ ، وَزَادَ أَحَمْدُ : «وَاحِدَةً أَوْدَعْ».

254. Narrated Abû Dharr (RAA): Allâh's Messenger said, "When one of you stands for prayer, he must not wipe away the pebbles (from his forehead or from the place of his prostration) as mercy is facing him." Related by the five Imâms with a sound chain of narrators. Ahmad added in his narration, "wipe it only once, or not at all."

٢٥٥ ـــ وَفِي الصَّحِيحِ عَنْ مُعَيْقِيبٍ نَحْوُهُ بِغَيْرِ تَعْلِيلٍ .

255. Al-Bukhârî and Muslim narrated a similar narration on the authority of Mu'aiqîb without giving an explanation.<sup>92</sup>

٢٥٦ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ عَنِ الإِلْتِفَاتِ فِي الصَّلَاةِ ؟ فَقَالَ : «هُوَ اخْتلاَسٌ يَخْتَلِسُهُ الشَّيْطَانُ مِنْ صَلاَةَ الْعَبْد». رَوَاهُ الْبُخَارِيُّ ، وَلِلتِّرْمِذِيِّ ، وَصَحَّحَهُ : «إِيَّاكِ وَالإِلْتِفَاتَ فِي الصَّلاَةِ ، فَإِنَّهُ هَلَكَةٌ ، فَإِنْ كَانُ لا بُدَّ فَفِي التَّطُورُعِ».

256. Narrated 'Â'ishah (RAA): 'I asked Allâh's Messenger sabout looking (turning) here and there in prayer. He replied, "It is a kind of theft by which Satan takes away (a portion) of the person's prayer." Related by Al-Bukhârî and At-Tirmidhî who rendered it authentic. The latter's wordings are, "Avoid turning while you are engaged in prayer, for it leads to the destruction (of your religion). If you have to do it, then do it in the voluntary prayer."

٢٥٧ ـــ وَعَنْ أَنَسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَانَ أَحَدُكُمْ في الصَّلاَةِ فَإِنَّهُ يُنَاجِي رَبَّهُ ، فَلاَ يَبْصُقَنَّ بَيْنَ يَدَيْهِ وَلاَ عَنْ يَمِينِهِ ، وَلَكِنْ عَنْ شِمَالِهِ تَحْتَ قَدَمِهِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ : «أَوْ تَحْتَ قَدَمِهِ».

257. Narrated Anas (RAA): Allâh's Messenger said, "Whenever any of you is engaged in prayer, he must realize that he is having an intimate conversation with His Lord. So, he should not spit in front of him nor toward his right side. But(he may spit, if needs) to his left, and under his foot." Agreed upon. In a different version, "or under his foot."

٢٥٨ ـــ وَعَـــنْهُ قَـــالَ : كَانَ قِرَامٌ لِعَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - سَتَرَتْ بِهِ جَانِبَ بَيْتِهَا ، فَقَالَ لَهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أُمِيطِي عَنَّا قِرَامَكِ هَذَا ، فَإِنَّهُ لَا تَزَالُ

<sup>92-</sup> The narration of Al-Bukhârî says, "Do not wipe away the pebbles while you are praying, but if you have to then do it only once in order to level them."

<sup>93-</sup> This is related to unnecessary movements.

258. Narrated Anas (RAA) (and "Â'ishah (RAA)), had a curtain with which she covered the doorway of her house. Allâh's Messenger said to her, "Remove this curtain (of yours) from us, for its pictures keep me distracted during my prayer." Related by Al-Bukhârî.

259. Bukhârî and Mulsim agreed upon the narration of 'Â'ish-ah (RAA): concerning the story of the *Inbijâniyah* of Abû Jahm, which has the phrase, "It has distracted me in my prayer." <sup>94</sup>

260. Narrated Jâbir bin Samurah (RAA): 'The Messenger of Allâh said, "Those who raise their sight toward the sky during the prayer, should stop doing so, otherwise their sight will not return to them." Related by Muslim.

261. Narrated 'Â'ishah (RAA): 'I heard the Messenger of Allâh say, "No one should pray when the the food is served nor

<sup>94-</sup> Al-Bukhârî reported on the authority of 'Â'ishah (RAA), The Prophet \$\mathscr{z}\$ prayed in a \$Khamisah\$ (a woolen cloak, which had some designs on it, and it was given to him as a present from Abû Jahm). He said, 'Take it (the cloak) back to Abû Jahm and bring me his \$Inbijâniyah\$ (a woolen plain cloak brought from Inbijân) as this \$khamisah\$ has distracted me in my prayer."

<sup>95-</sup> In the narration of al-Bukhârî, "or their sight may be taken away."

#### when one needs to answer the call of nature."96

٢٦٢ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «التَّـــــَثَاؤُبُ مِنَ الشَّيْطَانِ ، فَإِذَا تَثَاءَبَ أَحَدُكُمْ فَلْيَكُظِمْ مَا اسْتَطَاعَ». رَوَاهُ مُسْلِمٌ ، وَالتَّرْمِذِيُّ ، وَزَادَ : «فِي الصَّلاَةِ» .

262. Narrated Abû Hurairah (RAA): The Prophet ﷺ said, "Yawning is caused by the devil, so if any of you yawns (during prayer) he should stop it as much as he can." Related by Muslim and At-Tirmidhî who added in his narration, "During prayer."

# بَــابُ الْمَسَاجِــدِ Chapter VI: Mosques

٢٦٣ ــ عَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ بِبِنَاءِ الْمَسَاجِدِ فِي الدُّورِ ، وَأَنْ تُنَظَّفَ وَتُطَيَّبَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتَّرْمِذِيُّ ، وَصَحَّحَ إِرْسَالَهُ .

263. Narrated 'Â'ishah (RAA): 'The Messenger of Allâh \$\mathscr{g}\$ ordered that mosques be built in residential areas and that they should be kept clean and be perfumed.' Related by Ahmad and Abû Dawûd and At-Tirmidhî.

٢٦٤ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قَاتَلَ اللَّهُ الْيَهُودَ اتَّخَذُوا قُبُورَ أَنْبَيَائِهِمْ مَسَاجِدَ». مُتَّفَقٌ عَلَيْهِ ، وَزَادَ مُسْلِمٌ : «وَالنَّصَارَى».

264. Narrated Abû Hurairah (RAA): The Prophet said, "Allâh cursed the Jews (because) they took the graves of their Prophets as mosques." Agreed upon. In the narration of Muslim, "and the Christians."

<sup>96-</sup> Holding himself back from urinating or deficating. That is why it is better to relieve oneself first before praying.

٢٦٥ \_ وَلَهُمَا مِنْ حَدِيثِ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «كَانُوا إِذَا مَاتَ فِيهِمُ اللَّهُ عَنْهَا - : «كَانُوا إِذَا مَاتَ فِيهِمُ الرَّجُلُ الصَّالِحُ بَنَوْا عَلَى قَبْرِه مَسْجَدًا». وَفِيه : «أُولَئِكَ شرَارُ الْخَلْق».

265. Al-Bukhârî and Muslim narrated on the authority of 'Â'ishah (RAA):"If any pious (religious) man dies among them, they would build a mosque(place or worship) over his grave." Also in this narration, "They are the worst of creatures (people)."

٢٦٦ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَتْ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ خَـــيْلاً ، فَجَاءَتْ بِرَجُلٍ ، فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِي الْمَسْجِدِ». الْحَدِيثَ مُتَّفَقٌ عَلَيْهِ .

266. Narrated Abû Hurairah (RAA): "The Prophet ﷺ sent some horses (i.e. horsemen), who brought back a man<sup>97</sup> (they had captured). They tied him to one of the pillars of the Mosque.' Agreed upon.<sup>98</sup>

٢٦٧ ـــ وَعَنْهُ أَنَّ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - مَرَّ بِحَسَّانَ يُنْشِدُ فِي الْمَسْجِدِ ، فَلَحَظَ إِلَيْهِ ، فَقَالَ : قَدْ كُنْتُ أُنْشِدُ فِيهِ ، وَفِيهِ مَنْ هُوَ خُيْرٌ مِنْكَ. مُثَّفَقَّ عَلَيْه .

267. Narrated Abû Hurairah (RAA): "Umar (RAA) passed by <u>Hassân<sup>99</sup></u> when he was reciting poetry in the mosque, so he looked at him(in a disapproving manner). Thereupon <u>Hassân said</u>, 'I used to recite (poetry) in this mosque, in the presence of someone better than you (i.e. the Prophet ﷺ)." Agreed upon.

٢٦٨ ـــ وَعَـــنْهُ – رَضِـــيَ اللَّــهُ عَـــنْهُ – قَـــالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ سَمِعَ رَجُلاً يَتْشُدُ ضَالَّةً فِي الْمَسْجِدِ فَلْيَقُلْ : لاَ رَدَّهَا اللَّهُ عَلَيْكَ ، فَإِنْ

<sup>97-</sup> Thumâmah Ibn Uthâl al-Hanafî, see Hadîth no. 121.

<sup>98-</sup> Imâm aṣ-Ṣan'ânî says (in his book Subul as-Salâm; the interpretation of Bulûgh al-Marâm) that this Hadîth is a proof that it is permissible to tie a captive in the mosque even if he was a disbeliever.

<sup>99-</sup> The poet of the Prophet 磐.

الْمُسَاجِدَ لَمْ تُبْنَ لِهَذَا». رَوَاهُ مُسْلِمٌ .

268. Narrated Abû Hurairah (RAA): The Prophet said, "If you hear a man announcing in the mosque, about something which he has lost, he should say to him: 'May Allâh not return it to you, for mosques are not built for that reason." Related by Muslim.

٢٦٩ ــ وَعَـــنْهُ - رَضِـــيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «إِذَا رَأَيْـــتُمْ مَـــنْ يَبِيعُ ، أَوْ يَيْتَاعُ فِي الْمَسْجِدِ فَقُولُوا لَهُ : لاَ أَرْبَحَ اللَّهُ تِحَارَتَكَ».
 رَوَاهُ النَّسَائِيُّ ، وَالتَّرْمِذِيُّ ، وَحَسَّنَهُ .

269. Narrated Abû Hurairah (RAA): The Prophet said, "If you see someone buying or selling in the mosque, say to him: 'May Allâh not give you any profit in your trading." Related by an-Nasâ'î and At-Tirmidhî.

٢٧٠ ـــ وَعَنْ حَكِيمٍ بْنِ حِزَامٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَـــلَّمَ : «لاَ تُقَامُ الْحُدُودُ فِي الْمَسَاحِدِ ، وَلاَ يُسْتَقُادُ فِيهَا». رَوَاهُ أَحْمَدُ ، وَلاَ يُسْتَقُادُ فِيهَا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُد بِسَنَدٍ ضَعِيفٍ .

270. Narrated <u>H</u>akîm bin <u>H</u>izâm (RAA): The Prophet said, "Prescribed legal punishment (<u>H</u>udûd) are not to be carried out in a mosques, nor should retaliation be taken in them" Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٢٧١ ــ وَعَـــنْ عَائشَــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أُصِيبَ سَعْلَا يَوْمَ الْخَنْدَقِ فَضَـــرَبَ عَلَــيْهِ رَسُــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَيْمَةً فِي الْمَسْجِدِ ، لَيَعُودَهُ مِنْ قَريبِ». مُتَّفَقٌ عَلَيْه .

271. Narrated 'Â'ishah (RAA): 'Sa'd bin Mu'âdh was injured on the *Day (battle) of al-Khandaq* (Battle of the Trench) and the Messenger of Allâh 🎉 pitched a tent in the mosque to be able to

<sup>100-</sup> I.e. may Allâh make this trading unsuccessful.

visit him (easily).101 Agreed upon.

٢٧٢ \_\_ وَعَنْهَا : «رَأَيْتُ رَسُولَ اللهِ صَلَى اللهُ عَلَيْهِ وَسَلَّمَ يَسْتُرُنِي ، وَأَنَا أَنْظُرُ إِلَى الْحَبَشَة يَلْعُبُونَ في الْمَسْجد». الْحَديثَ . مُتَّفَقٌ عَلَيْه .

272. Narrated 'Â'ishah (RAA): 'I saw the Messenger of Allâh screening me while I was looking at the Abyssinians playing in the mosque (with their spears)..." (part of a <u>Hadîth</u>). Agreed upon.

٢٧٣ \_ وَعَــنْهَا: «أَنَّ وَلِيدَةَ سَوْدَاءَ كَانَ لَهَا خِبَاءٌ فِي الْمَسْجِدِ، فَكَانَتْ تَأْتِينِي فَتُحَدَّثُ عَنْدي». الْحَديثَ. مُتَّفَقٌ عَلَيْه .

273. Narrated 'Â'ishah (RAA): 'A black slave girl had a tent in the mosque (she used to sleep in the mosque), and she used to come to me, and we would talk.' Agreed upon.

٢٧٤ ـــ وَعَـــنْ أَنـــس - رَضِـــيَ اللهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ
 وَسَلَّمَ : «الْبُصَاقُ فِي الْمَسْجِدِ خَطِيئةٌ وَكَفَّارَتُهَا دَفْنُهَا». مُتَّفَقٌ عَلَيْهِ .

274. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger said, "Spitting in the mosque is considered a sin, which is expiated by burying it (the spit)." Agreed upon.

٢٧٥ \_\_ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 «لاَ تَقُومُ السَّاعَةُ حَتَّى يَتَبَاهَى النَّاسُ فِي الْمَسَاجِدِ». أَخْرَجَهُ الْحَمْسَةُ إِلاَّ النَّرْمِذِيَّ ،
 وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

275. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger  $\frac{1}{2}$  said, "The Hour will not be established before people vie with one another about (building) mosques." Related by the five Imâms except for At-Tirmidhî. Ibn Khuzaimah graded it as  $\underline{S}\hat{a}\hat{h}\hat{t}h$ .

<sup>101-</sup> As the Messenger of Allâh % wanted Sa'd to be in a place close to his house, so it would be easy to visit him and look after him.

٢٧٦ \_ وَعَـــنْ ابْنِ عَبَّاسٍ - رُضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رُسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رُسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا أُمِرْتُ بِتَشْهِيدِ الْمَسَاجِدِ». أُخْرَجَهُ أَبُو دَاوُدَ وَصَحَّحَهُ ابْنُ حِبَّانَ .

276. Narrated Ibn 'Abbâs (RAA): Allâh's Messenger said, "I was not commanded to build high and lofty mosques." Related by Abû Dawûd, and it was rendered authentic by Ibn Hibbân.

٢٧٧ \_ وَعَـــنْ أَنـــسِ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «عُرِضَتْ عَلَيُّ أُجُورُ أُمَّتِي ، حَتَّى الْقُذَاةُ يُخْرِجُهَا الرَّجُلُ مِنَ الْمَسْجِدِ».
 رَوَاهُ أَبُو دَاوُدَ وَالتَّرْمَذِيُّ ، واسْتَغْرَبَهُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

277. Narrated Anas Ibn Mâlik (RAA): Allâh's Messenger said, "The rewards of my followers were presented to me, so much so that even the reward for removing a speck of dust by a person from the mosque (was presented to me)." Related by Abû Dawûd, At-Tirmidhî, and it was graded as authentic by Ibn Khuzaimah.

٢٧٨ ـــ وَعَـــنْ أَبِي قَتَادَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «إِذَا دَخَلَ أَحَدُكُمُ الْمَسْجِدَ فَلاَ يَجْلِسْ حَتَّى يُصَلِّي رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

278. Narrated Abû Qatâdah (RAA): The Messenger of Allâh ﷺ said, "When one of you enters the mosque, he should pray two Rah'ât before he sits down." Agreed upon.

### بَابُ صفَة الصَّلاَة

## Chapter VII: The Description of how Prayer is to be performed

٢٧٩ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا قُمْــتَ إِلَى الصَّلَاةِ فَأَسْبِغْ الْوُضُوءَ ، ثُمَّ اسْتَقْبِلِ الْقَبْلَةَ ، فَكَبَّرْ ، ثُمَّ اقْرَأْ مَا تَيَسَّرَ مَعَــكَ مِنَ الْقُرْآنِ ، ثُمَّ ارْكَعْ حَتَّى تَطْمَئِنَّ رَاكِعًا ، ثُمَّ ارْفَعْ حَتَّى تَعْتَدِلَ قَائِمًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ حَالِسًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ عَالْمَئِنَّ حَالِسًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ عَالْمَئِنَّ عَالِسًا ، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَ

سَساجِدًا ، ثُمَّ افْعَلْ ذَلِكَ فِي صَلاَتِكَ كُلْهَا». أَخْرَجَهُ السَّبْعَةُ ، وَاللَّفْظُ لِلْبُحَارِيِّ ، وَلابْنِ مَاجَهُ بِإِسْنَادِ مُسْلِمٍ : «حَتَّى تَطْمَئِنَّ قَائِمًا».

279. Narrated Abû Hurairah (RAA): The Prophet said, "When you get up for prayer, perform ablution properly and then face the Qiblah and say Takbîr (Allâhu Akbar) and then recite whatever you can from the (verses of the) Qur'ân, and then bow until you repose therein 102(in your rukû'). After that come up again until you are standing upright, and then prostrate until you repose therein, (in your prostration), then raise your head and sit and repose (remain motionless for a while), then prostrate (again) and repose in your prostration. Do that in all of your prayers." Related by the seven Imâms, and the wording is Al-Bukhâri's. Ibn Mâjah transmitted the following through the chain of narrators of Muslim, "and then come up again(from rukû') until you repose in your standing"

280. Ahmad and Ibn Hibbân reported on the authority of Rifâ'ah bin Râfi' a similar narration which also says, 'and then come up again(from ruhû')until you repose in your standing"

281. Ahmad has in one of his narrations, "Straighten your back until the bones in your spine return to their places (the spine must be upright)."

٢٨٢ ــ وَلِلنَّسَــائِيُّ وَأَبِــي دَاوُدَ مِنْ حَدِيثِ رِفَاعَةَ بْنِ رَافِعٍ : «إِنَّهَا لاَ تَتِمُّ صَلاَةُ أَحَدِكُـــمْ حَتَّى يُسْبِغَ الْوُضُوءَ كَمَا أَمَرَهُ اللَّهُ - تَعَالَى - ، ثُمَّ يُكَبِّرَ اللَّهَ - تَعَالَى - ،

<sup>102-</sup> Which means that one should not be hasty to lift his head, rather remain motionless for a moment and say the supplications slowly while concentrating on what one is doing.

282. An-Nasâ'î and Abû Dawûd reported on the authority of Rifâ'ah bin Râfi', "The prayer of anyone of you is not perfect unless he performs ablution perfectly, as Allâh Glorified be He ordered him to do. Then he should utter the Takbîr and praise Allâh, the Exalted." This narration also says, "If you know some verses from the Qur'ân then recite them, or else praise Allâh (say Alḥamdu-lillâh), say the Takbîr (Allâhu Akbar) and the Tahlîl (lâ ilâha illallâh)."103

283. In the narration of Abû Dawûd, "Then recite the "Mother of the Book" (al-Fâtihah) (i.e. the first sûrah or the opening chapter of the Qu'ân) and then as much as Allâh makes easy for you (to read from the Qur'ân)."

284. In the narration of Ibn <u>H</u>ibbân, "Then (recite) as much as you wish."

۲۸٥ ــ وَعَنْ أَبِي حُمَيْد السَّاعِدِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «رَأَيْتُ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا كَبَّرَ جَعَل يَدَيْهِ حَذْوَ مَنْكَبَيْهِ ، وَإِذَا رَكَعَ أَمْكَنَ يَدَيْهِ مِنْ رُكْبَيْهِ ، وَإِذَا رَكَعَ أَمْكَنَ يَدَيْهِ مِنْ رُكُبَيْهِ ، ثُمَّ هَصَرَ ظَهْرَهُ ، فَإِذَا رَفَعَ رَأْسَهُ اسْتَوَى حَتَّى يَعُودَ كُلُّ فَقَارٍ مَكَانَهُ ، فَإِذَا سَحَدَد وَضَعَ يَدَيْهِ غَيْرَ مُفْتَرِشٍ ولا قَابضهِمَا وَاسْتَقْبَلَ بِأَطْرَاف أَصَابِع رِجْلَيْهِ القِتْلَةَ ، وَإِذَا جَلَسَ فِي الرَّكْعَتَيْنِ جَلَسٌ عَلَى رِجْلِهِ الْيُسْرَى وَنَصَبَ الْيُمْنَى ، وَإِذَا جَلَسَ فِي وَإِذَا جَلَسَ فِي الرَّكْعَتَيْنِ جَلَسٌ عَلَى رَجْلِهِ الْيُسْرَى وَنَصَبَ الْيُمْنَى ، وَإِذَا جَلَسَ فِي

<sup>103-</sup> Basically, prayer is not valid unless the Fâtihah is read (in Arabic) in each Rah ah, which is the consensus of the Scholars. But if the person finds difficulty in reciting it in Arabic or is dumb or illiterate, or any other acceptable excuse, then he should try to say any other verse from the Qur'ân, or say it behind someone who can recite. If he still can't, then it is permissible for him to say Tasbîh, Takbîr and Tahlil.

الـــرَّكْعَة الأُخِـــيرَةِ قَـــدَّمَ رِجْلَــهُ الْيُسْرَى وَنَصَبَ الأُخْرَى ، وَقَعَدَ عَلَى مَقْعَدَتِهِ». أَخْرَجَهُ الْبُخَارِيُّ .

285. Narrated Abû <u>H</u>umaid as-Sâ´idî, 'I saw the Messenger of Allâh (in his prayer), when he says the opening *Takbîr* (of the prayer) he would raise his hands up to his shoulder level. When he bows for *Rukû*´ he would place his hands on both knees<sup>104</sup> and his

back would be bent straight. When he lifted his head (from  $ruk\hat{u}$ ) he would straighten his back until all the vertebrate took their normal positions. When he prostrated, he placed both his hands on the ground and his fingers would neither be spread nor clasped together, while his toes would be directed toward the Qiblah. When he sat in the second rak'ah (after two rak'at) he sat on his left foot and kept his right foot upright. When he sat in the last rak'ah, he would put his left foot (over the right) and put his right foot upright (over the left rak'ah) and sit upon his posterior, neither inclining to the right or the left. Related by al-Bukhârî.

٢٨٦ — وَعَنْ عَلِيٍّ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلُمَ أَنَّــهُ كَانَ إِذَا قَامِ إِلَى الصَّلاَةِ قَالَ : «وَجَّهْتُ وَجْهِي لِلَّذِي فَطَرَ السَّمَوَاتِ وَالأَرْضَ» إِلَى قُولِهِ : «مِنَ الْمُسْلِمِينَ ، اللَّهُمَّ أَنْتَ الْمَلِكُ لاَ إِلَهَ إِلاَّ أَنْتَ ، أَنْتَ رَبِّي وَالأَرْضَ» إِلَى قُولِهِ : «مِنَ الْمُسْلِمِينَ ، اللَّهُمَّ أَنْتَ الْمَلِكُ لاَ إِلَهَ إِلاَّ أَنْتَ ، أَنْتَ رَبِّي وَالاَ مَثْدُكَ» إِلَى آخِرِهِ . رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ لَهُ : إِنَّ ذَلِكَ فِي صَلاَةِ اللَّيْلِ .

286. Narrated 'Alî bin Abî Tâlib (RAA): When Allâh's Messenger stood up for prayer he said, he would say (as on opening

<sup>104-</sup> The hands should be placed firmly on the knees.

<sup>105-</sup> It is the Sunnah in Rukû' to make the height of the head the same level as that of the hips. The back should be straight as 'Â'ishah (RAA) said, 'If he bowed ½ his head would be neither risen nor lowered, but rather between the two positions. 'Alî (RAA) said, "If you put a cup of water on the back of the Prophet, ½ while he was bowing, its contents would not spill." His head would be neither...

<sup>106-</sup> He would place his left foot on its side while sitting on it. The right foot would be resting on the bottom of its toes with the heel upright.

<sup>107-</sup> The left foot in this case would emerge from under the right one, which is in an upright position.

supplication 108), "I have turned my face towards the One Who created the heavens and the earth 109....' Until he says, 'and I am of those who have submitted (i.e. the Muslims). O Allâh, You are the Sovereign, there is none worthy of worship but You. You are my Lord and I am Your slave...etc110" Related by Muslim.

٢٨٧ ــ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَــلَّمَ إِذَا كَبَّرَ لِلصَّلَاةِ سَكَتَ هُنَيْهَةً قَبَلَ أَنْ يَقْرَأَ ، فَسَأَلْتُهُ ، فَقَالَ : «أَقُولُ : اللَّهُمُّ
بَــاعِدٌ بَيْــنِي وَبَيْنَ خَطَايَايَ كَمَا بَاعَدْتَ بَيْنَ الْمَشْرِقِ وَالْمَعْرِبِ ، اللَّهُمَّ نَقِّنِي مِنْ
خَطَايَــايَ كَمَا يُنَقَّى التُّوْبُ الأَبْيَضُ مِنَ الدَّنسِ ، اللَّهُمُّ اغْسِلْنِي مِنْ خَطَايَايَ بِالْمَاءِ
وَالنَّلْجِ وَالْبَرَدِ». مُتَّفَقٌ عَلَيْهِ .

287. Narrated Abû Hurairah (RAA): 'When the Prophet same his opening  $Takb\hat{\imath}r$ , he would be quiet for a little while before he started his recitation (of the Qur'ân). I asked him, (about what he says between  $Takb\hat{\imath}r$  and recitation).' He said, "I say: Oh Allâh, make the distance between me and my sins as far as

<sup>108-</sup> This is called Du'â' al-Istiftâh (opening supplication).

<sup>109-</sup> The rest of this supplication says, "and the earth as a true monotheist and Muslim, and I am not of those who associate partners with Allâh (polytheists). Verily my prayers, my sacrifice, my life and my death, are dedicated for the sake of Allâh, the Lord of the worlds, Who has no partner. Thus I have been commanded and I am among those who have submitted (the Muslims)."

<sup>110-</sup> The rest of the supplication says, "Oh Allâh, You are the Sovereign, there is none worthy of worship but You. You are my Lord and I am Your slave. I have done injustice to myself and I admit my sin. Forgive all of my sins, surely no one can forgive sins but You. Guide me to the most perfect of morals (Akhlâq), for none guides to its perfection but You. Divert the worst of it (evil morals) away from me, as no one can divert the worst of it but You. I am here at Your beck and call (present and ready to obey all Your commands). All good is in Your Hands, and evil is not attributed to You. I am (created) by You, and I am (returning back) unto You. You are the Most Blessed, the Most Exalted. I seek Your forgiveness and unto You I repent."Related by Muslim, Ahmad, at-Tirmidhî and others.

You have made the distance between the East from the West. Oh Allâh, purify me from my sins as a white garment is cleansed of dirt. Oh Allâh, wash off my sins with snow, rain and hail." Agreed upon.

٢٨٨ - وَعَــنْ عُمَــرَ - رَضِــيَ اللَّــهُ عَـــنْهُ - أَنَهُ كَانَ يَقُولُ: سُبْحَانَكَ اللَّهُمَّ وَبِحَمْــدِكَ ، وَتَــبَارَكَ اسْمُكَ ، وَتَعَالَى حَدُّكَ ، وَلاَ إِلَهَ غَيْرُكَ . رَوَاهُ مُسْلِمٌ بِسَنَدٍ مُنْقَطِعٍ ، وَرَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً وَمَوْقُوفًا .

288. Narrated 'Umar (RAA): that he used to say , "Glory be to You Oh Allâh and praise. Blessed is Your Name and Exalted is Your majesty. There is none worthy of worship but You." Related by Muslim with a disconnected chain of narrators. But ad-Dârqutnî related it and connected it to 'Umar (RAA).

٢٨٩ ــ وَنَحْـــوُهُ عَـــنْ أَبِـــي سَــعيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - مَرْفُوعًا عِنْدَ الْخَمْسَةِ ، وَفِيهِ : وَكَانَ يَقُولُ بَعْدَ التَّكْبِيرِ : « أَعُوذُ بِاللَّهِ السَّمِيعِ الْعَلِيمِ مِنَ الشَّيْطَان الرَّجِيمِ ، مِنْ هَمْزِهِ ، وَنَفْحِهِ ، وَنَفْتِهِ».

289. The five Imâms reported on the authority of Abû Sa´îd al-Khudrî that the Messenger of Allâh ﷺ, used to say after the opening Takbîr, "I seek refuge in Allâh from Satan. From his prickling (whispering), spittle and puffing."

٢٩٠ \_ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَّمَ يَسْتَفْتِحُ الْصَّلَاةَ بِالتَّكْبِيرِ ، وَالْقِرَاءَة : بـ { الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ } وَكَانَ إِذَا رَكَحَ مِنَ إِلَّا رَكَحَ مِنَ السَّحْدَة لَمْ يَسْجُدُ اللَّهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ اللَّهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ اللَّهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ حَتَّى يَسْتَوِي قَائِمًا ، وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ حَتَّى يَسْتَوِي قَائِمًا ، وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ حَتَّى يَسْتَوِي عَائِمًا ، وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ السَّحْدَة لَمْ يَسْجُدُ حَتَّى يَسْجُدُ اللَّهُ مِنْ السَّحْدَة لَمْ يَسْجُدُ اللَّهُ مِنْ السَّجْعِ يَ حَالسًا ، وَكَانَ يَقُولُ فِي كُلَّ رَكْعَتَيْنِ التَّحِيَّةُ ، وَكَانَ يَفْرِشُ رِحْلَهُ السُّمْ يَعْفَى أَنْ يَفْتَرِشَ الرَّجُلُهُ اللَّهُ السَّبُعِ ، وَكَانَ يَنْهَى عَنْ عُقْبَةِ الشَّيْطَانِ ، وَيَعْفَى أَنْ يَفْتَرِشَ الرَّجُلُ اللَّهُ عَلْمَ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ عَلَى اللَّهُ اللَّهُ عَلَى اللَّهُ عَلَيْهِ . أَخْرَجَهُ مُسْلِمٌ ، وَكَانَ يَخْتِمُ الصَّلَاةَ بِالتَّسْلِيمِ . أَخْرَجَهُ مُسْلِمٌ ، وَلَهُ عِلَةً .

290. Narrated 'Â'ishah (RAA): Allâh's Messenger ﷺ used to start the prayer with  $Takb\hat{u}r$  and the recitation of 'All praise be to

Allâh, the Lord of the Worlds, ( $Al\underline{h}amdu\ lillâhi\ rabbil\ 'Alamîn$ ). When he bowed (for  $ruk\hat{u}$ ) his head would be neither risen nor lowered, but would be between those two positions. When he rose his head from  $ruk\hat{u}$ , he would not prostrate until he stood up with his back in an erect position. When he lifted his head from prostration, he sat up (for a moment) before prostrating a second time. At the end of each two  $rak\hat{a}t$ , he would recite the  $Ta\underline{h}iyah\ (Tasha-hhud)^{III}$  and he used to sit on his left foot with his right foot upri-

ght. He prohibited us from sitting in the way of the devil<sup>112</sup>,or that a man stretches his forearms (on the ground in his prostration) like a wild beast He would then complete his prayer with the *Taslîm* (saying to the right and to the left 'Peace be upon you and the Mercy of Allâh." Related by Muslim.

291. Narrated Ibn 'Umar (RAA): 'The Messenger of Allâh  $\overset{\text{de}}{\approx}$  used to raise his hands to his shoulder level when he started his prayer, when he said  $Takb\hat{u}r$  (for making  $ruk\hat{u}$ )' and also when he lifted his head from  $ruk\hat{u}$ ." Agreed upon.

292. In the narration of Abû <u>H</u>umaid, reported by Abû Dawûd, "He raised his hands up to his shoulder level, and then would say Takbîr."

<sup>111-</sup> Tashahhud means the Testimony of faith (see <u>H</u>adîth no. 334).

<sup>112-</sup> This way of sitting is called Iq'â'. Imâm aṣ-Ṣan'ānî in 'Subul as-Sala-âm, mentioned two types of Iq'â': one in which one sits with the buttocks on the heels, and with the top of the toes and knees on the ground (as mentioned above), and this was accepted by some scholars. The second type is where one sits with his buttocks on the ground, with his palms down and his knees drawn up and thighs erect (like the sitting of a dog) which is totally prohibited.

٢٩٣ ــ وَلِمُسْلِمٍ عَنْ مَالِكِ بْنِ الْحُوَيْرِثِ نَحْوُ حَدِيثِ ابْنِ عُمَرَ ، لَكِنْ قَالَ : حَتَّى يُحَاذيَ بهمَا فُرُوعَ أُذُنَيْه .

293. Muslim reported on the authority of Mâlik bin al-<u>H</u>uwairith, a narration similar to that of Ibn 'Umar, but he said, "...he raised his hands until they(the fingertips) were level with the tops of his ears (i.e. when saying *Takbîr*).

٢٩٤ ـــ وَعَـــنْ وَائِلِ بْنِ حُجْرٍ قَالَ : صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَوَضَعَ يَدَهُ الْيُمْنَى عَلَى يَدِهِ الْيُسْرَى عَلَى صَدْرِهِ . أَخْرَجَهُ ابْنُ خُزَيْمَةَ .

294. Narrated Wâ'il bin <u>H</u>ujr: "I prayed with the Prophet **\*** and he placed his right hand over his left hand (and placed them) on his chest." Related by Ibn Khuzaimah.

٢٩٥ ـــ وَعَـــنْ عُـــبَادَةَ بْنِ الصَّامِتِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 «لاَ صَلاَةَ لِمَنْ لَمْ يَقْرَأُ بِأُمِّ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ .

295. Narrated 'Ubâdah bin a<u>s</u>-<u>S</u>âmit: "The Messenger of Allâh said, "No prayer (is accepted) for one who does not recite the Fâtihah (the opening chapter of the Qur'ân)." Agreed upon.

٢٩٦ ـــ وَفِـــي رِوَايَـــةٍ لابْـــنٍ حِبَّانَ وَالدَّارَقُطْنِيِّ : «لاَ تُحْزِي صَلاَةٌ لاَ يُقْرَأُ فِيهَا بِفَاتِحَةِ الْكِتَابِ».

296. In a version by Ibn <u>H</u>ibbân and ad-Dârqu<u>t</u>nî, "A prayer in which the *Fâti<u>h</u>ah* was not recited, is not valid."

٢٩٧ ــ وَفِي أُخْرَى لأَحْمَدَ وَأَبِي ذَاوُدَ ، وَالتَّرْمِذِيِّ ، وَابْنِ حَبَّانَ : «لَعَلَّكُمْ تَقْرَأُونَ خَلْفَ إِمَامِكُمْ ؟» قُلْنَا : نَعَمْ . قَالَ : «لاَ تَفْعَلُوا إِلاَّ بِفَاتِحَةِ الْكِتَابِ ، فِإِنَّهُ لاَ صَلاَةَ لِمَنْ لَمْ يَقْرَأُ بِهَا».

297. In another narration by 'Ubâdah Ibn As-Sâmit, "Maybe you recite (Qur'ân) behind your Imâm (when you are praying Jamâ'ah)? We said, 'Yes.' The Messenger of Allâh then said, "Read only the Fâtihah, as the prayer of the one who does not read it, is not valid."

٢٩٨ ـــ وَعَنْ أَنْسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبَا بَكْرٍ وَعُمَرَ كَانُوا يَفْتَيحُونَ الصَّلاَةَ بـــ{الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ}. مُتَّفَقٌ عَلَيْهِ .

298. Narrated Anas Ibn Mâlik: 'The Messenger of Allâh ﷺ, Abû Bakr and 'Umar, used to start the prayer with, 'Alhamdu lillâhi Rabil 'Alamîn' (All praise be to Allâh, Lord of the Worlds). 113 Agreed upon.

٢٩٩ ـــ زَادَ مُسْــلِمٌ : «لاَ يَذْكُــرُونَ {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ} فِي أَوَّلِ قِرَاءَةٍ وَلاَ فِي آخرِهَا».

299. Anas added in the narration reported by Muslim, but I never heard any of them reciting **Bismillahi** -ir-Rahman -ir-Rahman (In the name of Allâh, the Most Benificient, the Most Merciful) at the beginning of recitation or at its end."114

٣٠٠ ــ وَفِـــي رِوَايَةٍ لأَحْمَدَ وَالنَّسَائِيِّ وَابْنِ حُزَيْمَةَ : «لاَ يَجْهَرُونَ بِـــ{بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ}».

300. Anas also narrated, 'They would not recite reciting 'Bismillahi -ir-Rahman -ir-Rahm' (In the name of Allâh, the Most Benificient, the Most the Merciful) loudly." Related by Ahmad, an-Nasâ'î and Ibn Khuzaimah.

٣٠١ ـــ وَفِـــي أُخْرَى لابْن خُزَيْمَةَ : «كَانُوا يُسِرُّونَ». وَعَلَى هَذَا يُحْمَلُ النَّفْيُ فِي رِوَايَة مُسْلِم ، خِلاَفًا لِمَنْ أَعَلَّهَا .

301. In another version by Ibn Khuzaimah, Anas said, 'They used to recite it silently.' This explains the negation in the version of Muslim 'but I never heard any of them reciting **Bismillahi** -ir-Rahman -ir-Rahman .......' <u>Hadîth</u> no. 299.

<sup>113-</sup> He means they do not say the Basmalah aloud, but read it silently before they read the Fâtihah, as is mentioned in the following Ahâdîth (no. 300, 301).

<sup>114-</sup> He may be referring to the end of the Fâtihah, as they would start reading other sûras or verses from the Qur'ân, but again they would not recite the Basmalah aloud.

٣٠٢ ــ وَعَـــنْ نُعَــيْمِ الْمُحْمِرِ ، قَالَ : صَلَّيْتُ وَرَاءَ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَــنْهُ - ، فَقَـــرَأَ : {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ} ثُمَّ قَرَأَ بِأُمِّ الْقُرْآنِ ، حَتَّى إِذَا بَلَغَ : {وَلاَ الضَّــالِّينَ} [الفَاتِحَة : ٧] قَالَ : «آمِينَ» ، وَيَقُولُ كُلَّمَا سَجَدَ ، وَإِذَا قَامَ مِنَ الْحُلُــوسِ : اللَّهُ أَكْبَرُ ، ثُمَّ يَقُولُ إِذَا سَلَّمَ : وَالَّذِي نَفْسِي بِيَدِهِ إِنِّي لأَشْبَهُكُمْ صَلاَةً بِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . رَوَاهُ النَّسَائِيُّ ، وَابْنُ خُرَيْمَةً .

302. Narrated Nu´aim al-Mujmir, 'I prayed behind Abû Hurairah and he recited 'Bismillahi -ir-Rahman -ir-Rahîm,' and then he recited the Fâtihah until he recited, 'Nor of those who went astray,' (i.e. the last words of al-Fâtihah) then he said, 'Âmîn'.

Whenever he prostrated or got up from his sitting (after the two prostrations), he would say 'Allâhu Akbar' When he concluded his prayer by saying the Taslîm (saying to the right and to the left 'Peace be upon you and the Mercy of Allâh'), he would say (to us), 'By the One in Whose Hand is my soul, my prayer is the most similar to that of the Prophet , among all of you." Related by An-Nasâ'î and Ibn Khuzaimah.

٣٠٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَــــلَّمَ : «إِذَا قَـــرَأْتُمُ الْفَاتِحَــةَ فَاقْرَأُوا {بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ}، فَإِنَّها إِحْدَى آيَاتِهَا». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَوَّبَ وَقْفَهُ .

303. Narrated Abû Hurairah (RAA): 'The Messenger of Allâh said, "When you recite al-Fâtihah recite 'Bismillahi -ir-Rahman -ir-Rahîm' as it is one of its verses." Related by ad-Dâraqutnî, and said that it is only traced back to a Companion and not to the Prophet ...

٣٠٤ \_ وَعَــنْهُ قَالَ : كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا فَرَغَ مِنْ قَرَاءَةَ أُمُّ الْقُرْآنِ رَفَعَ صَوْتُهُ وَقَالَ : «آمِينَ». رَوَاهُ الدَّارِقُطْنِيُّ وَحَسَّنَهُ ، وَالْحَاكِمُ وَصَحَّحَهُ . 304. Narrated Abû Hurairah (RAA): Whenenver The Messen-

<sup>115-</sup> The word Âmîn is not part of the Fâtihah, but it is a supplication meaning "O Allâh respond or answer what we have just said." It is always said at the conclusion of sûrat al-Fâtihah.

ger of Allâh  $\frac{1}{26}$  finished reciting the Mother of the Book 'al-Fâtihah' (in prayer), he used to raise his voice saying  $\hat{A}mîn$ .' Related by ad-Dâraqutnî and al-Hâkim.

305. Abû Dawûd and At-Tirmidhî related a similar <u>Hadîth</u> on the authority of Wâ'il Ibn <u>Hujr</u>.

٣٠٦ ــ وَعَـــنُ عَبْدِ اللّهِ بْنِ أَبِي أَوْفَى - رَضِيَ اللّهُ عَنْهُ - قَالَ جَاءَ رَجُلٌ إِلَى النّبِيِّ صَــلّى اللّهِ عَنْهُ - قَالَ جَاءَ رَجُلٌ إِلَى النّبِيِّ صَــلّى اللّهِ عَلَمْ عَلَمْ اللّهِ عَلَمْنِي مَا يُحْزِئُــنِي مِــنْهُ ، فَقَــالَ : «قُــلْ : سُبْحَانَ اللّه ، وَالْحَمْدُ للّه ، وَلاَ إِلَهَ إِلاَ اللّهُ ، وَاللّــهُ أَكْبَرُ ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَ بِاللّهِ الْعَلِيِّ الْعَظيمِ» الْحَديثَ . رَوَاهُ أَحْمَدُ ، وَاللّــهُ أَكْبَرُ ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَ بِاللّهِ الْعَلِيِّ الْعَظيمِ» الْحَديثَ . رَوَاهُ أَحْمَدُ ، وَاللّــهُ أَنْ وَصَحَّحَهُ ابْنُ حَيَّانَ ، وَالدَّارَقُطُنيُّ ، وَالنَّحَاكُمُ .

306. Narrated 'Abdullâh bin Abî Awfâ (RAA): 'A man came to the Messenger of Allâh and said, 'I cannot memorise anything from the Qur'an, so teach me something which is sufficient for me (to say in prayer). The Messenger of Allâh said to him, "say, 'Subhanallah, wal-hamdu lillaah, wa lâ ilâha illallâh, wallâhu akbar, wa lâ hawala wa lâ Quwata illâ billâh-'Aliyyil-'Adheem, (Glory be to Allâh, and Praise be to Allâh! There is none worthy of worship but Allâh, Allâh is the Greatest, and there is no power nor might except by Allâh's leave, the Exalted, the Mighty." Part of the Hadîth is related by Ahmad, Abû Dawûd, an-Nasâ'î and was rendered authentic by Ibn Hibbân, ad-Dâraqutnî and al-Hâkim.

٣٠٧ \_ وَعَنْ أَبِي قَتَادَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يُصَــلَّيَ بِــنَا ، فَيَقْرَأُ فِي الظُّهْرِ وَالْعَصْرِ - فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ - بِفَاتِحَةَ الْكِستَابِ وَسُــورَتَيْنِ ، وَيُسْـمِعُنَا الآيَةَ أَحْيَانًا ، وَيُطَوِّلُ الرَّكْعَةَ الأُولَى ، وَيَقْرَأُ فِي الأَخْرَيَيْنِ بِفَاتِحَةِ الْكُولَى ، وَيَقْرَأُ فِي الأَخْرَيَيْنِ بِفَاتِحَةِ الْكُتَابِ». مُتَّفَقٌ عَلَيْهِ .

307. Narrated Abû Qatâdah (RAA): 'Allâh's Messenger ﷺ used to lead us in prayer, and he would recite al-Fâtihah followed

by two other  $S\hat{u}ras$  (i.e. a sûrah in each rak'ah) -in the first two  $Rak'\hat{a}t$  - of the  $\underline{Dh}uhr$  and 'Asr prayers. Sometimes we were able to hear a verse or so (of what he was reading). He used to  $\cancel{z}$ , prolong the first rak'ah more than the second, and he would recite al- $F\hat{a}ti\underline{h}ah$  in the last two  $rak'\hat{a}t$  (the third and the fourth). Agreed upon.

٣٠٨ \_ وَعَــنْ أَبِسِي سَعِيدِ الْخُلَرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نَحْزُرُ قِيَامَ رَسُــولِ اللَّــه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الظَّهْرِ وَالعَصْرِ ، فَحَزَرْنَا قِيَامَهُ فِي الرَّكُعَتَيْنِ الأُولَيَيْنِ مِنَ الظُّهْرِ قَدْرَ: {الَم \* تَنْزِيلُ} [السَّجْدَة : ١ و ٢]. السَّجْدَة . وَفِي الأُخْرَيَيْنِ قَـــدْرَ النَّصْـفِ مِنْ ذَلِكَ . وَفِي الأُولَيَيْنِ مِنْ الْعَصْرِ عَلَى قَدْرِ الأُخْرَيَيْنِ مِنَ الظَّهْرِ ، وَالأُخْرَيَيْنِ عَلَى النِّصْفِ مِنْ ذَلِكَ . رَوَاهُ مُسْلِمٌ .

308. Narrated Abû Sa´îd al-Khudrî (RAA): 'We used to estimate how long Allâh's Messenger stood (while reciting verses from the Qur'ân after the Fâtihah) in the Dhuhr and 'Asr prayers. We estimated that he stood in the first two rak´ât of the Dhuhr prayer as long as it takes to recite "Alif Lâm Mîm. The revelation of the Book(the Qur'ân).." (i.e. Sûrah as-Sajdah, no. 32). He stood half that time in the last two rak´ât, of the Dhuhr prayer. In the first two rak´ât of the 'Asr prayer, he stood as long as he did in the last two rak´ât of the Dhuhr prayer, and in the last two (of the 'Asr prayer), he stood about half that time." Related by Muslim.

٣٠٩ ــ وَعَــنْ سُـلَيْمَانَ بُــنِ يَسَارِ قَالَ : كَانَ فُلاَنْ يُطِيلُ الأُولَيْيْنِ مِنْ الظُّهْرِ ، وَيُعْرَأُ فِي الْمَعْرِبُ بِقِصَارِ الْمُفَصَّل ، وَفِي الْعِشَاء بِوَسَطِه وَفِي الصُّبْحِ بِطِوَالِه ، فَقَالَ أَبُو هُرَيْرَةَ : مَا صَلَّيْتُ وَرَاءَ أَحَد أَشْبَهَ صَلاَةً بِرَسُولِ اللَّهِ صَلَّى اللَّهُ صَلَّى اللَّهُ صَلَّى اللَّهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ هَذَا . أَخْرَجَهُ النَّسَائِيُّ بِإِسْنَادٍ صَحِيْحٍ .

309. Narrated Sulaimân bin Yasâr (RAA): 'A man<sup>116</sup> used to prolong the first two rak at of the <u>Dh</u>uhr prayer, shorten the 'Asr

<sup>116-</sup> Imâm al-Baghwî in his book 'Sharh as-Sunnah' said that this man was 'Amro bin Salamah, who was the governor of Madînah at that time.

prayer and recite short sûras of the mufas-sal<sup>117</sup> of the Qur'ân in the Maghrib prayer. In the Ishâ' prayer, he would recite from the medium sûras<sup>118</sup>, and in the Fajr prayer he would read from at-Tiwâl.<sup>119</sup> Abû Hurairah(RAA) then said, 'I have not prayed behind a man whose prayer is more similar to that of the Prophet than that man." Rendered by an-Nasâ'î with a sound chain of narrators.

310. Narrated Jubair bin Mutim (RAA): 'I heard the Messenger of Allâh & reciting Sûrat at-Tûr (no. 52) in the Maghrib prayer.' Agreed upon.

311. Narrated Abû Hurairah (RAA): 'Allâh's Messenger sused to recite in the Fajr prayer on Friday, "Alif Lâm Mîm. The revelation of the Book (the Qur'ân)..." (i.e. Sûrah as-Sajdah, no. 32), and "Has there not been over man a period of time..." (i.e. Sûrah al-Insân, no. 76). Agreed upon.

312. At-Tabarânî related on the authority of Ibn Mas´ûd: 'He used to do this continuously."

<sup>117-</sup> The Sûras starting from (according to the strongest opinion) Qâf (no. 50) to the end of the Holy Qur'ân.

<sup>118-</sup> This includes the mi'în (Sûras of around and over 100 verses), and the mathânî (come after the mi'în up to Qâf).

<sup>119.</sup> The first seven long Sûras in the Qur'ân, and some scholars add Sûras no. 8 and 9 (as there is no Basmalah between al-Anfâl and at-Tawbah). They have been called at-<u>Tiwâl</u> (the long) as they are the longest Sûras in the Qur'ân.

٣١٣ \_ وَعَـــنُ حُذَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «صَلَيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْه وَسَــــلَّمَ فَمَـــا مَرَّتُ بِهِ آيَةُ رَحْمَةِ إِلاَّ وَقَفَ عِنْدَهَا يَسَأْلُ ، وَلاَ آيَةُ عَذَابٍ إِلاَّ تَعَوَّذَ مِنْهَا». أَخْرَجَهُ الْخَمْسَةُ ، وَحَسَّنَهُ التَّرْمِذِيُّ .

313. Narrated <u>Hudhaifah</u> (RAA):'I prayed with the Prophet step and ask Allâh for His blessings, and whenever he came to a verse that mentioned punishment, he would seek refuge in Allâh from the Hell-fire." Related by the five Imâms. At-Tirmidhî rendered it <u>Hasan</u> (good).

٣١٤ ـ وَعَــنْ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ : «أَلاَ وَإِنِّي نُهيتُ أَنْ أَقْرُأُ الْقُرْآنَ رَاكِعًا أَوْ سَاجِدًا ، فَأَمَّا الرُّكُوعُ فَعَظْمُوا فِي الدُّعَاءِ ، فَقَمنَّ أَنْ يُسْتَجَابَ لَكُمْ». وَأَمَّا السُّجُودُ فَاجْتَهِدُوا فِي الدُّعَاءِ ، فَقَمنَّ أَنْ يُسْتَجَابَ لَكُمْ». رَوَاهُ مُسْلَمٌ .

314. Narrated Ibn 'Abbâs (RAA): 'The Messenger of Allâh % said, "I was forbidden from reciting the Qur'ân whether in a state of  $ruk\hat{u}$  or in  $suj\hat{u}d$  (prostration). When you perform  $ruk\hat{u}$ , Glorify Allâh (say Glory to my Lord the most Great), and in prostration, strive your best in making supplication, as you are then entitled to have your supplication answered (Allâh willing). Related by Muslim.

٣١٥ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ يَقُـــولُ فَـــي رُكُوعِهِ وَسُجُودِهِ : «سُبْحَانَكَ اللَّهُمَّ رَبَّنَا وَبِحَمْدِكَ ، اللَّهُمَّ اغْفَرْ لِي» مُتَّفَقٌ عَلَيْه .

315. Narrated 'Â'ishah (RAA): "Allâh's Messenger ﷺ, used to say in his  $ruk\hat{u}$  and  $suj\hat{u}d$  (prostration), "Glory and praise is to You, O Allâh, our Lord. O Allâh forgive me." Agreed upon.

٣١٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ إِذَا قَامَ إِلَى الصَّلَاةِ يُكَبِّرُ حِينَ يَقُومُ ، ثُمَّ يُكَبِّرُ حِينَ يَرْكَعُ ثُمَّ يَقُولُ : «سَمِعَ اللَّــهُ لِمَنْ حَمِدَهُ» حِينَ يَرْفَعُ صُلْبَهُ مِنَ الرُّكُوعِ ، ثُمَّ يَقُولُ وَهُوَ قَائِمٌ : «رَّبَتَا وَلَكَ الْحَمْــــدُ» ، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ رَأْسَهُ ، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ رَأْسَهُ ، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ رَأْسَهُ ، ثُمَّ يُكَبِّرُ حِينَ يَقُومُ يَسْـــجُدُ ، ثُمَّ يُكَبِّرُ حِينَ يَقُومُ مِنَ الْصَّلَاةِ كُلِّهَا ، وَيُكَبِّرُ حِينَ يَقُومُ مِنَ الْنَتَيْنِ بَعْدَ الْجُلُوسِ . مُثَفَقً عَلَيْهِ .

316. Narrated Abû Hurairah (RAA): 'When Allâh's Messenger got up to pray, he would say the  $Takb\hat{\imath}r$  while standing, then say the  $Takb\hat{\imath}r$  when he bowed (for  $ruk\hat{u}$ ). When he rose from  $ruk\hat{u}$  he would say, "Sami'al Lâhu liman hamidah (Allâh hears those who send praises to Him)", and while standing with his back straight (after  $ruk\hat{u}$ ) he would say, "Rabbanâ wa lakal-hamd (O Allâh, our Lord! All praise is for You)." He would then say the  $Takb\hat{\imath}r$  when going down to proatration, and when he raised his head, then when he prostrated for the second time he would say the  $Takb\hat{\imath}r$  one more time when he raised his head from the second prostration. He would do this for all his prayers, in each rak and he would also say the  $Takb\hat{\imath}r$  when he got up from his sitting after praying two rak at. Agreed upon.

٣١٧ ــ وَعَنْ أَبِي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : «اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ ، مِلْءَ اللَّهُ عَلَى عَلَى اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ ، مِلْءَ اللَّهُ عَلَى اللَّهُمَّ وَسَلَّمَ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ قَالَ : «اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ ، أَمْلُ الثَّنَاءِ وَالْمَجْدِ ، أَحَقُّ مَا السَّهَ مَوَاتِ وَالْأَرْضِ ، وَمَلْءَ مَا شَئْتَ مِنْ شَيْءٍ بَعْدَ ، أَمْلُ الثَّنَاءِ وَالْمَجْدِ ، أَحَقُ مَا قَصْلَ الْعَبْدُ - وَكُلَّنَا لَكَ عَبْدٌ - اللَّهُمَّ لاَ مَانِعَ لِمَا أَعْطَيْتُ ، وَلاَ مُعْطِي لِمَا مَنَعْتَ ، وَلاَ مُعْطِي لِمَا مَنَعْتَ ، وَلاَ يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدُّ » رَوَاهُ مُسْلِمٌ .

317. Narrated Abû Sa'îd al-Khudrî (RAA): when 'Allâh's Messenger arised his head from rukû' he would say, "Our Lord! All praise is Yours. (A praise that) fills the heavens and the earth, and fill what lies between them, and fills whatever else, You wish, to be filled after that. You alone are deserving of praise and majesty. This is the most truthful statement that a servant has ever said, and we are all Your slaves. O Allâh, there is no one who may withhold what You give, and there is no one, who may give what You have withheld. No fortune or prosperity(whether it be money, children,

power etc) will save or benefit its owner with You (it is only Your mercy and virtue that benefits anyone). Related by Muslim.

٣١٨ ـ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «أُمِرْتُ أَنْ أَسْجُدَ عَلَى سَبْعَةٍ أَعْظُمٍ : عَلَى الْجَبْهَةِ - وَأَشَارَ بِيَدِهِ إِلَى أَنْفِهِ -وَالْيَدَيْنِ ، وَالْرُكْبَتَيْنِ ، وَأَطْرَافِ الْقَدَمَيْنِ». مُتَّفَقٌ عَلَيْهِ .

318. Narrated Ibn 'Abbâs (RAA): "The Messenger of Allâh ﷺ said, "I was commanded to prostrate on seven bones (bodily parts): the forehead" -and he pointed to his nose, 120 hands, knees and the ends of the feet (the toes).' Agreed upon.

319. Narrated Ibn Buhainah (RAA), 'Whenever the Messenger of Allâh used to pray, he would keep his arms away from his sides (when he prostrated), so that the whiteness of his armpits was visible." Agreed upon.

320. Narrated al-Barâ' bin 'Âzib (RAA): 'The Messenger of Allâh said, "Whenever you prostrate, place the palms of your hands (on the ground), and raise your elbows." Related by Muslim.

<sup>120-</sup> Imâm al-Qurthî said, 'This shows that the forehead is the main part on which the face prostrates, and the nose is associated with it.' Ibn Daqîq al-'Abd said, 'This means that the Prophet \$\mathscr{x}\$ considered the forehead and the nose as one part, otherwise, the parts of the body on which prostration is performed would have been eight.' This \$\mathscr{H}adîth\$ is further explained by the narration of an-Nasâ'î, Ibn Tawûs said, 'And he put his hand \$\mathscr{x}\$ on his forehead and he passed it over his nose and said, "This is one (part)."

٣٢١ ـــ وَعَنْ وَائِلِ بْنِ حُحْرٍ – رَضِيَ اللَّهُ عَنْهُ – : « أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَكَعَ فَرَّجَ بِينِ أَصَابِعِهِ ، وَإِذَا سَجَدَ ضَمَّ أَصَابِعَهُ». رَوَاهُ الْحَاكِمُ .

321. Wâ'il bin <u>H</u>ujr (RAA) narrated, 'Whenever the Messenger of Allâh sused to bow, he would separate his fingers (with his hands pla-ced on his knees). When he prostrated, he would keep his fingers toge-ther.' Related by Al-<u>H</u>âkim.

٣٢٢ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يُصَلِّي مُتَرَبِّعًا». رَوَاهُ النَّسَائيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةُ .

322. 'Â'ishah (RAA) narrated, I saw the Messenger of Allâh praying while sitting cross-legged.'121Related by An-Nasâ'î and Ibn Kh-uzaimah graded it as <u>Sahîh</u>.

٣٢٣ ـــ وَعَنْ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقُولُ بَيْنَ السَّجْدَتَيْنِ : «اللَّهُمَّ اغْفِرْ لِي ، وَارْحَمْنِي واهْدنِي ، وَعَافِنِي ، وَارْزُقْنِي». رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَاللَّفَظُ لأَبِي دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

323. Ibn 'Abbâs (RAA) narrated, 'Between the two prostrations, the Messenger of Allâh ﷺ used to say, "O Allâh, forgive me, have mercy on me, guide me, grant me well-being, and provide for me." Related by the four Imâms except for An-Nasâ'î, and the wording is from Abû Dawûd. Al-Hâkim graded it as <u>Sahîh</u>.

٣٢٤ ـــ وَعَنْ مَالِكِ بْنِ الْحُويْرِثِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ يُصَلِّي ، فَإِذَا كَانَ فِي وِثْرٍ مِنْ صَلاَتِهِ لَمْ يَنْهَضْ حَتَّى يَسْتَوِي قَاعِدًا». رَوَاهُ الْبُخَارِيُّ .

324. Mâlik bin al-<u>H</u>uwairith (RAA) narrated that he saw the Messenger of Allâh praying. If he was praying the odd rak'ât (the first or the third), he used to sit for a moment (a quick sitting after the second prostration) before he got up." Related by Al-Bukhârî.

<sup>121-</sup> This was when the Prophet 奏 fell off his horse and his ankle was dislocated (Imâm aṣ-Ṣan'ânî in Subul as-Salâm.)

٣٢٥ ــ وَعَــنْ أَنــس - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَنَتَ شَهْرًا ، بَعْدَ الرُّكُوعِ ، يَدْعُو عَلَى أَحْيَاءِ مِنَ الْعَرَبِ ، ثُمَّ تَرَكَهُ» . مُتَّفَقٌ عَلَيْهِ .

325. Anas (RAA) narrated, 'The Messenger of Allâh stood in humble supplication reciting the Qunût<sup>122</sup> for a whole month asking Allâh to punish some of the Arab tribes, and then he stopped (making this supplication)." 123 Agreed upon.

326. Ahmad and Ad-Dâraqutnî related a similar <u>Hadîth</u> (on the authority of Anas) but with a different chain of narrators. The narration says, "The Messenger of Allâh & kept on making *Qunût* during the *Fajr* prayer until he left this world."<sup>124</sup>

<sup>122-</sup> Qunût is a special supplication made in certain prayers while standing after raising one's head from bowing. It is usually done in the Witr prayer, or in the second rah'ah of the Fajr prayer.

<sup>123-</sup> They are the tribes of Ra'l and Dhakwân. The Messenger of Allâh  $\frac{2}{3}$  sent almost 70 of his Companions (who had memorized the Qur'ân), to those tribes to teach them Islâm. There was a peace treaty between them and the Messenger of Allâh  $\frac{2}{3}$ , but they killed the seventy men. He was very sad for the loss of his Companions and spent a whole month reciting this supplication. This is proof that it is permissible to make Qunût, reciting the supplication aloud (in any of the five prayers) when Muslims are faced with calamities.

<sup>124-</sup> What the Messenger 養 stopped (as mentioned in the first <u>Hadîth</u>) is his supplication asking Allâh to punish the people who killed his Companions. As for what he kept doing, most scholars are of the opinion that what Anas meant by Qunût in this <u>Hadîth</u> is that the Prophet 袰 would stand (after raising his head from rukû') for some time making supplication and dhihr (remembering Allâh), in the Fajr prayer, until he died. Anas himself and the four Khulafâ', did not observe this Qunût in the Fajr prayer after the death of the Prophet 袰 which supports the opinion of the scholars, as they would not abandon something that the Messenger of Allâh 袰 continued doing all his life, so that it becomes part of his Sunnah.

٣٢٧ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ لاَ يَقْنُتُ إِلاَّ إِذَا دَعَا لِقَوْمٍ ، أَوْ دَعَا عَلَى قَوْمٍ». صَحَّحَهُ ابْنُ خُزَيْمَةَ .

327. Anas (RAA) narrated, "The Messenger of Allâh se would not stand for the *Qunût* (in prayer) unless he was supplicating for or against certain people." Ibn Khuzaimah graded it to be <u>Sahîh</u>.

٣٢٨ ـــ وَعَـــنْ سَعْدِ بْنِ طَارِقِ الأَشْجَعِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «قُلْتُ لأَبِي : يَـــا أَبَـــتِ ، إِنَّكَ قَدْ صَلَّيْتَ خَلْفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَبِي بَكْرٍ ، وَعُمَـــرَ ، وَعُثْمَانَ ، وَعَلِيَّ ، أَفَكَانُوا يَقُنْتُونَ فِي الْفَحْرِ ؟ قَالَ : أَيْ بُنيَّ مُحْدَثٌ». رَوَاهُ الْحَمْسَةُ إِلاَّ أَبَا دَاوُدَ .

328. Sa'd bin Târiq Al-Ashja'î (RAA) narrated, 'I said to my father, "Father, you have prayed behind Allâh's Messenger , Abû Bakr, 'Umar, 'Uthmân and 'Alî. Did they observe making Qunût in Fajr prayer?" He said, 'No son, it is something that has been innovated (i.e. a Bid'ah)." Related by the five Imâms except for Abû Dawûd.

٣٢٩ ــ وَعَنِ الْحَسَنِ بْنِ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَهُ قَالَ : عَلَّمَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَلِمَاتَ أَقُولُهُنَّ فِي قُتُوتِ الْوِثْرِ : «اللَّهُمَّ اهْدنِي فِيمَنْ هَدَيْتَ ، وَعَافِنِي فِيمَنْ عَافَيْتَ ، وَبَارِكَ لِي فِيمَا أَعْطَيْتَ ، وَقِنِي شَرَّ مَا وَعَافِنِي فِيمَنْ عَافِيْتَ ، وَقِنِي شَرَّ مَا قَضَى عَلَيْكَ ، وَإِنَّهُ لاَ يَذِلُّ مَنْ وَالَيْتَ ، تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتَ ، فَإِنَّكَ تَقْضِي وَلاَ يُقْضَى عَلَيْكَ ، وَإِنَّهُ لاَ يَذِلُّ مَنْ وَالَيْتَ ، تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتِتَ». وَوَلاً يَعِدُّ مَنْ عَادَيْتَ» ، وَتَعَالَيْتِ مِنْ وَجْهِ آخِرَ فِي آخِرِهِ : «وَصَلَّى اللَّهُ - تَعَالَى - عَلَى النَّبِيِّ».

329. Al-Hasan bin 'Alî (RAA) narrated, 'I said to Allâh's Messenger , "Teach me some words to say when making Qunût in the Witr prayer. He taught me, "Oh Allâh, guide me with those whom You have guided, and strengthen me with those whom You have given strength. Take me into Your care. Bless me in what You have given me. Protect me from the evil You have ordained. Surely You have commanded and are not commanded, and none whom You have committed to

Your care shall be humiliated You are Blessed, Our Lord and Exalted." Related by the five Imâms. At-Tabarânî and Al-Baihaqî added, "and none whom You have taken as an enemy shall be honored." An-Nasâ'î added thr-ough another chain of narrators, "May the Peace and Blessings of Allâh, the Almighty be upon His Prophet."

٣٣٠ ــ وَلَلْبَــيْهَقِيِّ عَــنِ ابن عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُنَا دُعَاءً نَدْعُو بِهِ فِي القُنُوتِ مِنْ صَلاَةِ الصُّبْحِ». وَفِي سَنَدِهِ ضَعْف .

330. Ibn 'Abbâs narrated, 'The Messenger of Allâh ﷺ used to teach us a supplication to recite in the *Qunût* of the *Fajr* prayer." Related by Al-Baihaqî, but with a weak chain of narrators.

٣٣١ \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ الله صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « إِذَا سَجَدَ أَحَدُكُمْ فَلاَ يَبْرُكُ كَمَا يَبْرُكُ البَعِيرُ ، وَلْيَضَعْ يَدَيْهِ قَبْلَ رُكْبَتَيْهِ » أَخْرَجَهُ النَّلاَثَةُ ، وَهُوَ أَقْوَى مِنْ حَدِيثِ وَائِل بِنْ حُجْرٍ .

331. Abû Hurairah (RAA) narrated that the Prophet said, "When one of you prostrates, he should not kneel down in his prayer as a camel does (i.e. put his knees down before his hands). He must put his hands first (on the ground) before he puts his knees down." Related by the three Imâms. It is stronger than the <u>Hadîth</u> narrated by Wâ'il Ibn <u>Hujr</u>.

٣٣٢ ـ رَأَيْ ـ تُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا سَجَدَ وَضَعَ رُكْبَتَيْهِ قَبْلَ يَدَيْهِ». أَخْرَجَهُ الأَرْبَعَةُ فَإِنَّ لِلأَوَّلِ شَاهِدًا مِنْ حَديثِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، صَحَّحَهُ ابْنُ خُزَيْمَةً ، وَذَكَرَهُ البُخَارِيُّ مُعَلِّقًا مَوْقُوفاً .

332. Wâ'il Ibn Hujr (RAA) narrated, 'I saw the Prophet \$\mathbb{E}\$ place his knees down when he prostrated before he put his hands.' Related by the four Imâms. The reason behind the strength of the previous narration (of Abû Hurairah) is that it is supported by another narration on the authority of Ibn Umar (RAA) which was graded as \$\Sah\hat{l}h\$ by Ibn Khuzaimah. It was also related by Al-

Bukhârî but the chain of narrators is only connected to Nâfî (RAA) and does not reach the Prophet 125.

٣٣٣ ــ وَعَـــنْ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ كَانَ إِذًا قَعَدَ لِلْتَّشَهُدِ وَضَعَ يَدَهُ اليُسْرَى عَلَى رُكْبَتِهِ اليُسْرَى ، وَاليُمْنَى عَلَى اليُمْنَى ، وَعَقَدَ ثَلاَنًا وَخَمْسِينَ وَأَشَارَ بِإصْبعِهِ السَّبَّابَةِ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ لَهُ : «وَقَبَضَ أَصَابِعِهِ كُلِّهَا ، وَأَشَارَ بِالَّتِي تَلِي الإِبْهَامَ».

333. Ibn 'Umar (RAA) narrated, 'Whenever the Messenger of Allâh sat for Tashahhud, 126 he would place his left hand on his left knee and his right hand on his right knee and he would form a ring like (fifty-three) and point with his index finger (the right hand is held closed in this case, with the thumb touching the side of the index finger, which alone is extended to point with it.) Related by Muslim. In another version by Muslim, 'And he would close his hand (clench his fingers) and point with his index finger.'

٣٣٤ وَعَنْ عَبْدِ اللّهِ بِنْ مَسْعُود - رَضِيَ اللّهُ عَنْهُ - قَالَ : التَّفَتُ إِلَيْنَا رَسُولُ اللّهِ صَلَّى اللّهُ عَنَهُ وَعَنْ عَبْدِ اللّهِ ، وَالصَّلُواتُ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَّا صَلَّى أَحَدُكُمْ فَلْيَقُل : التَّحِيَّاتُ لِلّه ، وَالصَّلُواتُ والطَّيِّبَاتُ ، السَّلاَمُ عَلَيْنَا وَعَلَى والطَّيِّبَاتُ ، السَّلاَمُ عَلَيْنَا وَعَلَى والطَّيِّبَاتُ ، السَّلاَمُ عَلَيْنَا وَعَلَى عِبَادِ اللّهِ السَّلَامُ السَّلاَمُ عَلَيْنَا وَعَلَى عَبِيدِ اللّهِ الله وَحْدَهُ لاَ شَرِيكَ لَهُ ، وَأَشْهَدُ أَنْ لاَ إِلَهُ إلاَّ اللّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، وَأَشْهَدُ أَنْ لاَ إِلَهُ إلاَّ اللّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، وَأَشْهَدُ أَنْ مَن اللّهُ عَلَيْهِ مَنَ اللّهُ عَلَيْهِ ، فَيَدْعُو». مُتَّفَقًا عَلَيْهِ وَاللّهُ للْبُخَارِيِّ .

ولِلْنَسَائِيِّ : كُنَّا نَقُولُ قَبْلَ أَنْ يُفْرَضَ عَلَيْنَا التَّشَيَّةُ . وَلأَحْمَدَ : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ عَلَّمَهُ التَّشْيُّدَ ، وَأَمَرَهُ أَنْ يُعَلِّمَهُ النَّاسَ .

<sup>125-</sup> The consensus of the scholars supports the <u>Hadith</u> of Ibn <u>Hujr</u>. Imâm Ibnul Qaiyim is also of the opinion that one should put his knees down first. Imâm An-Nawawî said though that it seems that no opinion is more prefe-rable than the other, i.e. both <u>Ahâdîth</u> are accepted, and one can go down in any way described.

<sup>126-</sup> The Testification of faith, which is recited in the final sitting of the prayer.

334. Abdullâh Ibn Mas'ûd (RAA) narrated, 'Allâh's Messenger turned around to us and said, "When any of you prays (and sits for the final Tashahhud) then he should say, 'All greetings of humility are for Allâh, and all prayers (or more generally all acts of worship) and good deeds (all good things, sayings, praising Allâh, dhikr of Allâh etc...) are all for Allâh. Peace be upon you, O Prophet, and the mercy of Allâh and His blessings be upon you. Peace be upon us and upon the righteous slaves of Allâh. I bear witness that none is worthy of worship but Allâh, and I bear witness that Muhammad is His slave and His Messenger.' Then you may choose whatever supplication you like best and recite it." Agreed upon, and the wording is from Al-Bukhârî.

In the narration of An-Nasâ'î on the authority of Ibn Mas'ûd, 'We used to say (so and so) before the recitation of the *Tashahhud* was made obligatory upon us (as mentioned above).'

In the narration of Ahmad, Ibn Mas'ûd says that the Prophet says that the Prophet taught him the recitation of the *Tashahhud* and ordered him to teach it to other people.

٣٣٥\_ وَلِمُسْلِمٍ عَنْ ابْنِ عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُنَا التَّشْهِةُدَ : التَّحِيَّاتُ الْمُبَارَكَاتُ الصَّلَوَاتُ الطَّيِّبَاتُ لِلَّهِ» إِلَى آخِرِهِ .

335. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh sused to teach us to say in the Tashahhud, 'Blessed greetings, prayers and good deeds are all for Allâh etc...(the rest is the same as the one mentioned in <u>Hadîth</u> 334.) Related by Muslim.

٣٣٦ ــ وَعَنْ فَضَالَةَ بْنِ عُبَيْد - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلاً يَدْعُو فِي صَلَّاتِه ، وَلَمْ يَحْمَدِ اللَّهَ ، وَلَمْ يُصَلِّ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَا صَلَّى أَحَدُكُمْ فَلْيَبْدَأُ بِتَحْمِيدِ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَا صَلَّى أَحَدُكُمْ فَلْيَبْدَأُ بِتَحْمِيدِ رَبِّهِ وَسَلَّمَ فَقَالَ : هُوَالتَّنَاءِ عَلَيْهِ ، ثُمَّ يُصَلِّي عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ يَدْعُو بِمَا شَاءَ». رَوَاهُ أَحْمَدُ وَالتَّلَاثَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ وَابْنُ حَبَّانُ وَالْحَاكِمُ .

336. Fadâlah bin 'Ubaid (RAA) narrated, "Allâh's Messenger

heard a man supplicating during his prayer, 127 but he did not praise Allâh and did not send prayers upon the Prophet . Thereupon the Messenger of Allâh said, "This one has been hasty (i.e. in making his supplication before praising Allâh and praying for His Prophet). He then called him and said, "When one of you prays, begin by praising Allâh. Then say prayers upon the Prophet, and then supplicate what you wish from Allâh." Related by Ahmad and the three Imâms: At-Tirmidhî, Ibn Hibbân and Al-Hâkim graded it as Sahîh.

٣٣٧ ــ وَعَنْ أَبِي مَسْعُودِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ بَشِيرُ بْنُ سَعْد : يَا رَسُولَ اللَّــ ، أَمَــرَنَا اللَّــ هُ أَنْ نُصَلِّي عَلَيْكَ ، فَكَيْفَ نُصَلِّي عَلَيْكَ ؟ فَسَكَتُ ، ثُمَّ قَالَ : «قُولُسوا : اللَّهُمَّ صَلِّ عَلَى مُحَمَّد ، وَعَلَى آلِ مُحَمَّد ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيم ، وَبَـارِكْ عَلَى مُحَمَّد وَعَلَى آلِ مُحَمِّد ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي الْعَالَمِينَ إِنْكَ وَبَـارِكْ عَلَى مُحَمَّد وَعَلَى آلِ مُحَمَّد ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي الْعَالَمِينَ إِنْكَ حَمِيدٌ مَحِيدٌ ، وَالسَّلَامُ كَمَا عَلِمُتُمْ ». رَوَاهُ مُسْلِمٌ ، وَزَادَ ابْنُ خُزَيْمَةَ فِيهٍ : «فَكَيْفَ خَمِيدٌ مَحِيدٌ ، وَالسَّلَامُ كَمَا عَلَمْتُمْ فِي صَلاَتِنَا ؟».

337. Ibn Mas´ûd (RAA) narrated that 'Bashîr bin Sa´d said, 'O Messenger of Allâh, we have been ordered to send prayers upon you. How do we do it?' 'The Prophet 's was quiet for a moment and then said, "Say 'O Allâh, Bless Muhammad and the family of Muhammad as You blessed Ibrâhîm (in another narration: as You blessed the family of Ibrâhîm). Grant favors to Muhammad and to the family of Muhammad as You granted favors to Ibrâhîm in this world (in another narration to the family of Ibrâhîm). You are indeed Praiseworthy and Glorious.'And make Taslîm¹28(salutation) as I have taught you' Related by Muslim. Ibn Khuzaimah added, 'How do we do it (i.e. what do we say), whenever we send prayers upon you in our prayer?"

<sup>127-</sup> The man was most probably sitting for at-Tashahhud, and that is why the author mentioned this <u>Hadith</u> in this section.

<sup>128-</sup> Refer to Hadith no. 290.

٣٣٨ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا تَشَهَّدَ أَحَدُكُمْ فَلْيَسْتَعِذْ بِاللَّهِ مِنْ أَرْبَعِ ، يَقُولُ : اللَّهُمَّ إِنِّي أَعْوِذُ بِكَ مِنْ عَذَابِ فَتْنَةِ اللَّهِ مِنْ أَرْبَعِ ، يَقُولُ : اللَّهُمَّ إِنِّي أَعْوِذُ بِكَ مِنْ عَذَابِ الْقَبْرِ ، وَمِنْ فِتْنَةِ الْمَحْيَا وَالْمَمَاتِ ، وَمِنْ فِتْنَةِ الْمَسِيحِ الدَّجَال». مُتَّفَقٌ عَلَيْه .

وَفِي رِوَايَةٍ لِمُسْلِمٍ : «إِذَا فَرَغَ أَحَدُكُمْ مِنَ التَّشَهُّدِ الأَخِيرِ».

338. Abû Hurairah (RAA) narrated that the Prophet said, "When any of you finishes reciting the Tashahhud, he should then seek refuge in Allâh from the following four (trials), and should say, "O Allâh! I seek refuge in You from the torment of the Hell-fire, and from the torment of the grave, from the trials of life and death, and from the (evil) trial of the False Messiah (ad-Dajjâl)." Agreed upon. In the narration of Muslim, "When one of you finishes reciting the final Tashahhud."

٣٣٩ ــ وَعَـــنْ أَبِي بَكْرِ الصَّدِّيقِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ لرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَّمَ وَسَــلَّمَ : عَلَّمْنِي دُعَاءً أَدْعُو بِهِ فِي صَلاَتِي ، قَالَ : «قُلْ : اللَّهُمَّ إِنِّي ظَلَمْتُ نَفْسِــي ظُلُمْتُ أَنْتَ ، فَاغْفِرِ لِي مَغْفِرَةً مِنْ عِنْدَكَ وَارْحَمْنِي ، إِنَّكَ أَنْتَ ، فَاغْفِرِ لِي مَغْفِرَةً مِنْ عِنْدَكَ وَارْحَمْنِي ، إِنَّكَ أَنْتَ الْغَفُورُ الرَّحِيمُ». مُتَّفَقٌ عَلَيْهِ .

339. Abû Bakr (RAA) narrated that he said to the Messenger of Allâh are Teach me a supplication that I may say in my prayer.' He said to him, "Say, 'O Allâh! I have done great injustice to myself and no one forgives sins but You. So forgive me with Your forgiveness, and have mercy upon me. You are the Most Merciful, Oft-Forgiving." Agreed upon.

٣٤٠ ـــ وَعَنْ وَائِلِ بْنِ حُجْرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : صَلَّيْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَكَانَ يُسَلِّمُ عَنْ يَمِينه : «السَّلاَمُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ» ، وَعَنْ شِمَالِهِ : «السَّلاَمُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ صَحِيحٍ.

340. Wâ'il bin <u>H</u>ujr (RAA) narrated, 'I prayed with the Prophet **\$\mathscr{E}**, and he would make the *Salâm* (salutation at the end of

prayer) to his right side (saying), "Peace be upon you and the Mercy of Allâh," and to his left side (saying), "Peace be upon you and the Mercy of Allâh." Related by Abû Dawûd with a <u>Sahîh</u> (sound) chain of narrators.

٣٤١ ــ وَعَـــنِ الْمُغيرَةِ بْنِ شُعْبَةً - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَـُانَ اللَّهُ وَحْدَهُ لاَ شَرَيكَ لَهُ ، لَهُ كَــانَ يَقُـــولُ فِي دُبُرِ كُلِّ صَلاَةٍ مَكْتُوبَة : «لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرَيكَ لَهُ ، لَهُ الْمُلْــكُ ، وَلَهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، اللَّهُمَّ لاَ مَانِعَ لِمَا أَعْطَيْتَ ، وَلاَ مُعْطِي لِمَا مُنعْتُ ، وَلاَ يُنْفَعُ ذَا الْجُدِّ مِنْكَ الْجُدُّ». مُتَّفَقٌ عَلَيْهِ .

341. Al-Mughîrah bin Shu'bah (RAA) narrated that the Messenger of Allâh would say at the end of every obligatory prayer, "There is no god except Allâh, the One, Who has no partner. His is the dominion and His is the praise. He has power over all things. O Allâh! There is no one who may withhold what You give, and there is no one, who may give what You have withheld. No fortune or prosperity(whether it be money, children, power etc) will save or benefit its owner with You (it is only Your mercy and virtue that benefits anyone). Agreed upon.

٣٤٢ \_ وَعَنْ سَعْدِ بْنِ أَبِي وَقَاصٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَتَعَوَّذُ بِهِنَّ دُبُرَ كُلِّ صَلَاة : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبُحْلِ ، وَأَعُوذُ بِكَ مِنَ الْحُبْنِ ، وَأَعُوذُ بِكَ مِنْ أَنْ أُرَدَّ إِلَى أَرْذَلِ الْعُمْرِ ، وَأَعُوذُ بِكَ مِنْ فِتْنَةِ الدُّنْيَا ، وَأَعُوذُ بِكَ مِنْ عَذَابِ الْقَبْرِ». رَوَاهُ الْبُحَارِيُّ .

342. Sa'd bin Abî Waqqâs (RAA) narrated that the Messenger of Allâh would seek refuge in Allâh at the end of every obligatory prayer, saying, "I seek refuge in You from miserliness, I seek refuge in You from cowardice, I seek refuge in You from senility, I seek refuge in You from the trials of this world, and I seek refuge in You from the torment of the grave." Related by Al-Bukhârî.

٣٤٣ \_ وَعَـــنْ ثَوْبُـــانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا انْصَرَفَ مِنْ صَلاَتِهِ اسْتَغْفَرَ اللَّهَ ثَلاّئًا ، وَقَالَ : «اللَّهُمَّ أَنْتَ السَّلاَمُ ، وَمِنْكَ السَّلاَمُ ، تَبَارَكْتَ يَا ذَا الْحَلاَلِ وَالإِكْرَامِ». رَوَاهُ مُسْلِمٌ .

343. Thaubân (RAA) narrated, 'When the Prophet swould finish his prayer, he would seek Allâh's forgiveness three times and then say, "O Allâh, You are the Peace, and from You comes peace. Blessed are You, Owner of Majesty and Generosity." Related by Muslim.

٣٤٤ \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

قَالَ : «مَنْ سَبَّحَ اللَّهَ دُبُرَ كُلِّ صَلَاةٍ ثَلاَثًا وَثَلاَثِينَ ، وَحَمِدَ اللَّهَ ثَلاَثًا وَثَلاَثِينَ ، وَكَبَّرَ

اللَّهَ ثَلاَثًا وَثَلاَثِينَ ، فَتَلْكَ تَسْعٌ وَتِسْعُونَ ، وَقَالَ تَمَامَ الْمِائَةِ : لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْكُ ، وَلَهُ الْحَمْدُ ، وَهُو عَلَى كُلِّ شَيْءٍ قَدِيرٌ ، غُفِرَتْ خَطَايَاهُ ، وَلَهُ مُسْلِمٌ ، وَفِي رُوايَةٍ أُخْرَى : «أَنَّ التَّكْبِيرَ وَلَهُ مُسْلِمٌ ، وَفِي رُوايَةٍ أُخْرَى : «أَنَّ التَّكْبِيرَ أَرْبَعْ وَتَلاَثُونَ».

344. Abû Hurairah (RAA), narrated the Prophet said, "Whoever glorifies Allâh (i.e. say Subhanal-lâh) after every (obligatory) prayer, thirty three times, and praises Allâh (i.e. say Alhamdu-lillâh) thirty three times, and says the Takbîr (say Allâhu Akbar), this makes 99 times in all, and to complete the hundred, he then says, "There is no god except Allâh, the One Who has no partner. His is the dominion and His is the praise. He has power over all things.' His sins are forgiven, even if his sins are as abundant as the foam of the sea." Related by Muslim. In another narration, the Takbîr was mentioned to be said thirty four times.

٣٤٥ \_ وَعَـــنْ مُعَـــاذِ بْـــنِ جَبَلِ ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ : «أُوصِـــيكَ يَـــا مُعَاذُ : لاَ تَدَعَنَّ دُبُرَ كُلِّ صَلاَة أَنْ تَقُولَ : اللَّهُمَّ أُعِنِّي عَلَى ذِكْرِكَ وَشُكْرِكَ وَحُسْنِ عِبَادَتِكَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ بِسَنَدِ قَوِيٌّ .

345. Mu'âdh bin Jabal (RAA) narrated that the Messenger of Allâh said to him, "I advise you, O Mu'âdh, never neglect to say at the end of every (obligatory) prayer, 'O Allâh, help me in Your dhikr (remembrance), Your thanks, and in wor-

shipping You in the most perfect way." Related by Ahmad, Abû Dawûd and An-Nasâ'î with a strong chain of narrators.

٣٤٦ ــ وَعَــنْ أَبِــي أَمَامَــةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَرَأَ آيَةَ الْكُرْسِيِّ دُبُرَ كُلِّ صَلاَةً مَكْتُوبَةٍ لَمْ يَمْنَعْهُ مِنْ ذُخُولِ الْجَنَّةِ إِلاَّ الْمَوْتُ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ . وَزَادَ فِيهِ الطَّبَرَانِيُّ : {قُلْ هُوَ اللَّهُ أَحَدٌ } [الصَّمَدُ : ١].

346. Abû Umâmah (RAA) narrated that the Messenger of Allâh said, "Whoever recites the verse of the Throne(Âyat al-Kursî. 2:244) at the end of every prayer, nothing will prevent him from entering Paradise except that he must die (first)." Related by An-Nasâ'î and rendered Sahîh by Ibn Hibbân. At-Tabarânî added in his narration, 'and recites "Say, He is Allâh (the) One ....." (sûrah no. 112).'

٣٤٧ \_ وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي». رَوَاهُ البُخَارِيُّ .

347. Mâlik bin Al-<u>H</u>uwairith (RAA) narrated, "The Messenger of Allâh ﷺ said, "**Pray as you have seen me praying.**" Related by Al-Bukhârî.

٣٤٨ ـــ وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبَيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قـــالَ : «صَـــلَّ قَائِمًا ، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِدًا ، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ ، وَإِلاَّ فَأُوْمٍ». رَوَاهُ الْبُحَارِيُّ .

348. Imrân bin al-<u>Husain</u> (RAA) narrated that the Messenger of Allâh said, "Pray standing, if you are not able to; pray sitting; if you are not able to; pray while lying on your side, otherwise pray by nodding your head." Related by Al-Bukhârî.

٣٤٩ ـــ وَعَـــنْ جَابِـــرِ - رَضِــــيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ قَالَ لِمَرِيضِ : صَلَّى عَلَى وَلَى وَلَى وَلَى عَلَى وَلَى عَلَى وَلَى اللَّهُ عَنْهُ بِهَا - وَقَالَ : «صَلَّ عَلَى الأَرْضِ إِنِ اسْتَطَعْتَ ، وِإِلاَّ فَأَوْمٍ إِيمَاءً ،

وَاجْعَـــلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ قَوِيٍّ ، وَلَكِنْ صَحَّحَ أَبُو حَاتِم وَقْفَهُ .

349. Jâbir bin 'Abdullâh narrated, 'The Messenger of Allâh saw a sick man praying while sitting on a cushion. The Prophet pushed it aside and said to him, "Pray while sitting on the ground if you can, otherwise, pray by nodding your head, and make a lower nodding for prostration than that for bowing (rukû)." Related by Al-Baihaqî with a strong chain of narrators.

## بَسَابُ سُجُسُودِ السَّهْسُوِ وَغَيْرِهِ مِنْ سُجُسُودِ النَّسَلَاوَةِ وَالشُّكْسِرِ

Chapter VIII: Sujûd as-Sahu (Prostration due to forgetfulness during prayer) Other forms of Sujûd (prostration): Prostration of Qur'ânic Recital, and Prostration of Thankfulness

٣٥٠ \_ عَــنْ عَــبْد الله بْنِ بُحَيْنَة - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِي صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ صَــلَى بِهِمُ الطُّهْرَ ، فَقَامَ فِي الرَّكْعَتَيْنِ الأُولَيْيْنِ ، وَلَمْ يَحْلِسْ ، فَقَامَ النَّاسُ مَعَــهُ ، حَتَّى إِذَا قَضَى الصَّلاَة ، وَانْتَظَرَ النَّاسُ تَسْلِمهُ ، كَبَرَ وَهُوَ جَالِسٌ ، وَسَحَدَ سَحْدَتَيْنِ ، قَبْلَ أَنْ يُسَلِّمَ ، ثُمَّ سَلَّمَ». أخرَجَهُ السَّبْعَةُ ، وَهَذَا اللَّهْظُ لِلْبُحَارِيِّ . وَفَــي رَوَايَة لِمُسْلِمٍ : «يُكَبِّرُ فِي كُلِّ سَحْدَةٍ وَهُوَ جَالِسٌ وَيَسْحُدُ ، ويَسْحُدُ النَّاسُ مَعَهُ ، مَكَانَ مَا نَسِيَ مِنَ الْحُلُوسِ».

350. Abdullâh bin Buhainah (RAA) narrated, 'Once the Messenger of Allâh led us in <u>Dh</u>uhr prayer and stood up after two rah'ât and did not sit down (for the middle <u>Tashahhud</u>). The people stood up with him. When the prayer was about to end, the people waited for him to say the <u>Taslîm</u>. He said the <u>Takbîr</u> while sitting down, and prostrated twice before he finally said the <u>Taslîm</u>." Related by the seven Imâms and the wording is from Al-Bukhârî.

In the narration by Muslim, 'and he said the Takbîr in each prostration while he was sitting down and would then prostrate.

The people prostrated with him to compensate for the middle sitting (after two rak'at) that he forgot (during the prayer)."

٣٥١ \_ وَعَــنْ أَبِــي هُرَيْرَةً - رَضِيَ اللّهُ عَنْهُ - قَالَ : صَلّى النّبِيُّ صَلَّى اللّهُ عَلَيْهِ وَسَــلّمَ إِخْــدَى صَــلاَتِي الْعِشْيِّ رَكْعَتَيْنِ ، ثُمَّ سَلّمَ ، ثُمَّ قَامَ إِلَى حَشْبَة فِي مُقَدَّمِ الْمَسْجِد ، فَوَضَعَ يَدَهُ عَلَيْهَا ، وَفِي الْقَوْمِ أَبُو بَكْرٍ وَعُمَرُ ، فَهَابَا أَنْ يُكَلّمَاهُ ، وَخَرَجَ الْمَسْجِد ، فَوَضَعَ يَدَهُ عَلَيْهَا ، وَفِي الْقَوْمِ رَجُلٌ يَدْعُوهُ النّبِيُّ صَلّى اللّهُ سَـرَعَانُ النّاسِ ، فَقَالُوا : قُصِرَتَ الصَّلاَةُ ، وَفِي الْقَوْمِ رَجُلٌ يَدْعُوهُ النّبِيُّ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ ذَا الْيَدَيْنِ فَقَالَ : يَا رَسُولَ اللّهِ ، أَنسيتَ أَمْ قَصُرَتِ الصَّلاَةُ ؟ فَقَالَ : «لَمُ عَلَيْهِ وَسَلّمَ هُوَ النّبِي صَلّى اللّهُ أَنسيتَ أَمْ قَصُرَتِ الصَّلاَةُ ؟ فَقَالَ : «لَمُ اللّهُ عَلَيْهِ وَسَلّمَ هُوَالًا : هُمَّ مَنْهُ كَثَرَ ، فَقَالَ : هَلَى ، قَدْ نَسيتَ ، فَصَلّى رَكْعَتَيْنِ ، ثُمَّ سَلّمَ ، ثُمَّ كَبْرَ ، أَنْ سَجُودِهِ ، أَوْ أَطُولَ ، ثُمَّ رَفَعَ رَاسَهُ فَكَبَرَ ، ثُمَّ وَضَعَ رَأْسَهُ ، فَكَبّرَ ، مُثَفَقً عَلَيْهِ ، واللّهُ فَنَا لَعُصْرِ . فَعَ رَأْسَهُ وَكَبّرَ . مُثّفَقٌ عَلَيْهِ ، واللّهُ فُلُكُرَ . فَتَعَ رَوْلَيَة لِمُسْلَمِ : صَلاّةَ الْعَصْرِ . فَعَ رَأْسَهُ وَكَبّرَ . مُثَفَقٌ عَلَيْهِ ، واللّهُ فُلُكَمَارِيَّ . وَفِي رَوَايَة لِمُسْلَمِ : صَلاَةَ الْعَصْرِ .

Abû Hurairah (RAA) narrated, 'The Prophet ﷺ prayed either *Dhuhr* or 'Asr prayer with us and he prayed only two rak 'ât and then (finished the prayer) by making the Taslîm. He got up and leaned against a piece of wood in the front part of the mosque. Abû Bakr and 'Umar (RAA) were present among the people on that day, but they did not dare to speak to the Prophet & (about the two remaining rak'at). Some people left the mosque in a hurry and wondered, 'Has the prayer been shortened?' Among the people there was a man called Dhul Yadain129 who said, 'O Messenger of Allâh, have you forgotten or has the prayer been shortened?' The Messenger of Allâh said, "I have not forgotten and the prayer has not been shortened." Dhul Yadain then said, 'Surely you have forgotten, O Allâh's Messenger." So the Prophet 🕮 got up and prayed two (more) rak 'at and finished the prayer with Taslim. After that he said Takbîr and prostrated the way he usually prostrated or perhaps a little longer. Next he raised his head and said the Takbîr. Then he said the Takbîr again and performed another prostration, the way he usually prostrated or perhaps a little lon-

<sup>129-</sup> The Messenger of Allâh 

called him Dhul Yadain (the man with the two hands) because his hands were long.

ger. Finally he raised his head and said the  $Takb\hat{\imath}r$ . (The Prophet  $\not\cong$  performed the two prostrations of forgetfulness ( $Suj\hat{u}d$  as-Sahu) after praying the two missed  $rak\hat{\imath}at$ ." Agreed upon. In the narra-tion of Muslim, "In the 'Asr\_prayer."

352. In the narration of Abû Dawûd, "The Prophet said (to the people in the mosque), "Is it 'true' as Dhul Yadain has just said?" The people nodded their heads confirming what he said. This narration is also in Al-Bukhârî and Muslim but with the wording, "They said "Yes" instead of "nodded their heads."

353. In another narration by Abû Dawûd on the authority of Abû Hurairah, 'and he ﷺ did not prostrate until Allâh, the Exalted, made him absolutely sure about it (that he had only prayed two rak 'ât).

٣٥٤ \_ وَعَـــنْ عِمْرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى بِهِمْ ، فَسَهَا ، فَسَحَدَ سَحْدَتَيْنِ ، ثُمَّ تَشَهَّدَ ، ثُمَّ سَلَّمَ». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمَذِيُّ وَحَسَّنَهُ ، وَالْحَاكِمُ وَصَحَّحَهُ .

354. Imrân bin al-<u>Husain</u> (RAA) narrated that the Messenger of Allâh se led them in prayer and forgot (to do something), so he made two prostrations and recited the *Tashahhud* and then said the *Taslîm*." Related by Abû Dawûd and At-Tirmidhî, who graded it as *Hasan* (good).

٣٥٥ \_ وَعَنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا شَكَّ أَخَدُكُمْ فِي صَلاَتِهِ ، فَلَمْ يَدْرِ كُمْ صَلَّى أَثَلاَثًا أَمْ أَرْبَعًا ؟ فَلْيُطْرَحِ الشَّكَ وَلْيَبْنِ عَلَى مَا اسْتَيْقَنَ ، ثُمَّ يَسْجُدُ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ ، فَإِنْ كَانَ

صَـــلَى خَمْسُـــا شَفَعْنَ لَهُ صَلاَتَهُ ، وإِنْ كَانَ صَلَّى تَمَامًا كَانَتَا تَرْغِيمًا لِلشَّيْطَانِ». رَوَاهُ مُسْلِمٌ .

355. Abû Sa'îd al-Khudrî (RAA) narrated that Allâh's Messenger said, "If one of you is uncertain during his prayer, and he does not remember for sure (the number of rak'ât) he has prayed, three or four rak'ât, then he should put an end to his doubts and proceed in his prayer based on the number (of rak'ât) that he is certain he had performed and then make two prostrations before the Taslîm. If he had prayed five rak'ât, the two prostrations would make his prayer even (i.e. with an even number of rak'ât as the two prostrations are considered as one rak'ah). If he had prayed four complete rak'ât (when he had finished), they would be in defiance of Satan." Related by Muslim.

٣٥٦ ــ وَعَــنِ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلْمُ وَسَلَّمَ فَيلً لَهُ : يَا رَسُولُ اللَّهِ ، أَحَدَثُ فِي الصَّلاَةِ شَيْءٌ ؟ قَالَ : عَلَى رَجُلَيْهِ وَاسْتَقْبُلَ الْقَبْلَةَ ، فَسَحَدَ «وَمَا ذَاكَ ؟» قَالُوا : صَلَّيْتَ كَذَا وَكَذَا ، قَالَ : فَنْنَى رِجُلَيْهِ وَاسْتَقْبُلَ الْقَبْلَةَ ، فَسَحَدَ سَـحَدَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ بوَجْهِهِ فَقَالَ : «إِنَّهُ لَوْ حَدَثَ فِي الصَّلاَة شَـعَيْءٌ أَنْسَبُونَ ، فَإِذَا نَسِيتُ شَـيْءٌ أَنْسَى كُمَا تَنْسُونَ ، فَإِذَا نَسِيتُ فَذَكُرُونِي ، وَإِذَا شَكَ أَحَدُكُمْ فِي صَلاَتِهِ فَلْيَتَحَرُّ الصَّوَابَ ، فَلْيُتِمَّ عَلَيْهِ ، ثُمَّ لِيَسْحُدُ شَحَدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ ، ثُمَّ لِيَسْحُدُ شَحَدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

356. Abdullâh Ibn Mas'ûd (RAA) narrated, 'Once Allâh's Messenger was praying, and when he said the *Taslîm*, he was asked, 'O Messenger of Allâh, has something new happened in the prayer? He replied, "What is that?" They said, 'You prayed so and so many rak'ât.' The Messenger of Allâh then changed the position of his feet, faced the Qiblah and made two prostrations. After he

<sup>130-</sup> He must always assume that he certainly prayed the lesser number of rah'ât). For example if he is in doubt whether he prayed three or four rah'ât, he assumes that he certainly prayed three, if he is uncertain whether he prayed two or one rah'ah, he assumes that he prayed only one and so on.

said the Taslîm, he turned his face to the people and said, "If anything new happened in the prayer, I would have informed you about it. But I am only a human being and I forget just as you do, so when I forget, remind me, and when any of you is uncertain about his prayer, he should try his best to remember exactly what he did, and then proceed with his prayer taking this into consideration (whether concerning a rak ah or an integral part of the prayer). Then he should make two prostrations." Agreed upon.

357. In the narration of al-Bukhârî, "He must finish his prayer, say the *Taslîm* and then make the two prostrations afterwards."

358. In the narration of Muslim, "The Messenger of Allâh  $\frac{1}{2}$  made the two prostrations of Sahu (forgetfulness) after making the  $Tasl\hat{u}m$  and talking (the dialogue that took place between him and the Companions about what happened in the prayer)."

359. 'Abdullâh bin Ja'far (RAA) narrated that the Messenger of Allâh **%** said, "Whoever is uncertain about his prayer, he should make two prostrations after the *Taslîm*." Related by Ahmad and Abû Dawûd, and graded <u>Sahîh</u> by Ibn Khuzaimah.

<sup>131-</sup> There is a difference of opinion whether to make the prostrations before or after the *Taslîm* as both cases are mentioned in the *Ahâdîth*, but Imâm Ahmad said that it is better to apply each *Hadîth* in similar cases, and if it is not mentioned in any of the aforementioned *Ahâdîth*, then it is better to prostrate before *Taslîm*, or he has the choice to do either.

أَحَدُّكُ ۚ مَ فَقَ الْمَ فِ فِ الرَّكْعَتَيْنِ ، فَاسْتَتَمَّ قَائِمًا ، فَلْيَمْضِ ، وَلاَ يَعُودُ ، وَلْيَسْخُدُ سَـ جُدَتَيْنِ ، فَـ إِنْ لَمْ يَسْتَتِمَّ قَائِمًا فَلْيَخْلِسْ وَلاَ سَهْوَ عَلَيْهِ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهُ ، وَالدَّارِقُطْنِيُّ ، وَاللَّهُظُ لَهُ ، بِسَنَد ضَعِيف .

360. Al-Mughîrah bin Shu bah (RAA) narrated that the Messenger of Allâh said, "If one of you is in doubt (about which rak ah he is praying) and he stood up after praying two rak-ât, and he has already stood straight (when he remembered that he forgot to sit), he should proceed (with his prayer) and must not sit back again, but he should perform two prostrations (of forgetfulness). If he (remembers when he) has not completely stood up straight, then he should sit down (for the middle Tashahhud) and he does not have to make the two prostrations of Sahu (forgetfulness)." Related by Abû Dawûd, Ibn Mâjah and Ad-Dâraqutnî with a weak chain of narrators. The wording is from ad-Dâraqutnî.

٣٦١ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ عَلَى مَنْ خَلْفَ الإِمَامِ سَهْوٌ ، فَإِنْ سَهَا الإِمَامُ فَعَلَيْهِ وَعَلَى مَنْ خَلَفْهُ». رَوَاهُ التَّرْمِذِيُّ وَالْبَيْهَقِيُّ بِسَنَدِ ضَعِيفٍ .

361. Umar (RAA) narrated that the Messenger of Allâh said, "The one who is led in prayer does not have to make the two prostrations of forgetfulness. But if the Imâm himself forgets, both the Imâm and those praying behind him must make the two prostrations." Related by at-Tirmidhî and Al-Baihaqî with a weak chain of narrators.

٣٦٢ ـــ وَعَنْ ثَوْيَانَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «لِكُلِّ سَهْوٍ سَجْدَتَانِ بَعْدَ مَا يُسَلِّمُ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهْ بِسَنَدِ ضَعِيفٍ .

362. Thaubân (RAA) narrated that the Messenger of Allâh said, "One must prostrate twice (Sujûd as-Sahu) every time he forgets<sup>132</sup>any of the actions of the prayer." Related by Abû Dawûd and Ibn Mâjah with a weak chain of narrators.

<sup>132-</sup> What is meant here is that he performs only two prostrations at the end of the prayer, for any number of actions, which he forgot in one prayer.

٣٦٣ ــ وَعَنْ أَبِي هُرَيرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «سَجَدُّنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي : {إِذَا السَّمَاءُ الْشَقَّتُ } [الإِنْشِقَاقُ : ١] ، وَ {اقْرَأْ بِاسْمِ رَبَّكَ اللَّهُ عَلَيْهِ وَسَلَّمَ فِي : {إِذَا السَّمَاءُ الشَّقَتُ } [الإِنْشِقَاقُ : ١] ، وَ {اقْرَأْ بِاسْمِ رَبَّكَ اللَّهِ عَلَقَ} [الْعَلَقُ : ١] رَوَاهُ مُسْلِمٌ .

363. Abû Hurairah (RAA) narrated, 'We performed prostration along with the Messenger of Allâh when he recited, "When the heaven split asunder," (sûrah no.84) and when he recited, "Read! in the Name of your Lord, Who has created.." (Sûrah no. 96)133 Related by Muslim.

٣٦٤ ـــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : {ص} [ص : ١] لَيْسَتْ مِنْ عَـــزَاتِمِ السُّــجُودِ ، وَقَـــدْ رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْجُدُ فِيهَا». رَوَاهُ الْبُخَارِيُّ .

364. Ibn 'Abbâs (RAA) narrated, 'The prostration in sûrah Sâd, is not a compulsory one, but I saw the Messenger of Allâh prostrating when he recited it." Related by Al-Bukhârî.

365. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh & prostrated when he recited (sûrah) "an-Najm" (sûrah no. 53). Related by Al-Bukhârî.

٣٦٦ ـــ وَعَنْ زَيْدِ بْنِ ثَابِت – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «قَرَأْتُ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ النَّحْمَ ، فَلَمْ يَسْجُدْ فيهَا». مُتَّفَقٌ عَلَيْه .

366. Zaid bin Thâbit narrated, 'I recited (sûrah) "an-Najm" to the Prophet substitute but he did not prostrate." Agreed upon.

<sup>133-</sup> I.e. The Prophet 第 prostrated when he recited the verse (Ayah) of prostration in each of these Sûras.

<sup>134-</sup> This kind of prostration is Sunnah (i.e. not obligatory) for the one reciting or listening, but it is preferable to do it.

٢٦٧ ـــ وَعَـــنْ خَـــالِدِ بْنِ مَعْدَانَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «فُضِّلَتْ سُورَةُ الْحَجِّ بِسَجْدَتَيْنِ». رَوَاهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ .

367. Khâlid bin Ma'dân (RAA) narrated, 'Sûrah"al-<u>H</u>ajj"(no. 22) is more excellent than the other Sûras by having two prostrations (i.e. two verses of prostration.)" Related by Abû Dawûd.

٣٦٨ ـــ وَرَوَاهُ أَحْمَدُ وَالتَّرْمَذِيُّ مَوْصُولاً مِنْ حَدِيثِ عُقْبَةَ بْنِ عَامِرٍ ، وَزَادَ : «فَمَنْ لَمْ يَسْجُدْهُمَا فَلاَ يَقْرَأْهَا». وَسَنَدُهُ ضَعيفٌ .

368. Ahmad and At-Tirmidhî related the above <u>Hadîth</u> on the authority of 'Uqbah bin 'Âmir, linked up to the Prophet . At-Tirmidhî added, 'The one who does not make the two prostrations (when reciting the sûrah), should not recite them." The chain of narrators of this <u>Hadîth</u> is weak.

٣٦٩ ـــ وَعَـــنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «يَا أَيُّهَا النَّاسُ إِنَّا نَمُرُّ بِالسُّجُودِ ، فَمَنْ سَجَدَ فَقَدْ أَصَابَ ، وَمَنْ لَمْ يَسْجُدُ فَلاَ إِثْمَ عَلَيْهِ». رَوَاهُ الْبُخَارِيُّ ، وَفِيهِ : أَنْ اللَّهُ - تَعَالَى - لَمْ يَفْرِضِ السُّجُودَ إِلاَّ أَنْ نَشَاءً ، وَهُوَ فِي الْمُوطَّإِ .

369. 'Umar (RAA) narrated, 'O people, we came across verses of prostration, 135 whoever prostrates has done the right thing, yet there is no sin upon the one who does not do so." Related by Al-Bukhârî. This <u>Hadîth</u> has the addition, 'Allâh, Glorified be He, has not made it compulsory for us to make the prostration (of Qur'ânic recitation), but whoever wishes can make it."This <u>Hadîth</u> is also in al-Muwatta'.

٣٧٠ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَقْــرَأُ عَلَيْــنَا الْقُــرْآنَ ، فَــاإِذَا مَرَّ بِالسَّجْدَةِ كَبَّرَ وَسَجَدَ وَسَجَدْنَا مَعَهُ». رَوَاهُ أَبُو دَاوُدَ بِسَنَدِ فِيهِ لِينٌ .

<sup>135.</sup> Umar (RAA) said this in the Friday Khutbah (sermon), because one Friday he recited sûrah an-Nahl and he came down from the pulpit and prostrated along with the people. The next Friday he recited the same sûrah but did not prostrate, hence he said what is in the Hadîth.

370. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh se would recite the Qur'ân to us, and when he came to a verse of Sajdah (prostration) he would say the Takbîr and prostrate, and we would make the Sajdah with him." Related by Abû Dawûd with a weak chain of narrators.

٣٧١ ـــ وَعَنْ أَبِي بَكْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا جَاءَهُ خَبَرٌ يَسُرُّهُ خَرَّ سَاحِدًا لِلَّهِ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ .

371. Abû Bakrah (RAA) narrated, 'Whenever the Prophet \$\mathbe{\pi}\$ received something which pleased him (e.g. good news), he would make the Sajdah (prostration) in gratitude to Allâh." Related by the five Imâms except An-Nasâ'î.

٣٧٢ ــ وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ عَوْف - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَجَدَ النَّبِيُّ صَلَّى اللَّهُ عَنْهُ - قَالَ : سَجَدَ النَّبِيُّ صَلَّى اللَّــهُ عَلَـــيْهِ وَسَـــلَّمَ فَأَطَالَ السُّجُودَ ، ثُمَّ رَفَعَ رَأْسَهُ ، فَقَالَ : «إِنَّ جِبْرِيلَ أَثَانِي ، فَسَجَدْتُ الْحَاكِمُ .

372. 'Abdur Rahmân bin 'Auf (RAA) narrated, 'The messenger of Allah prostrated, but it was so long (that 'Abdur Rahmân was worried about him). When he raised his head, he said (to him), "Jibrîl came to me and told me some glad tidings, so I prostrated out of thanks to Allâh." Related by Ahmad and al-Hâkim graded it as <u>Sahîh</u>.

٣٧٣ ـــ وَعَـــنِ الْــبَرَاءِ بْنِ عَازِب - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ بَعَثَ عَلِيًّا إِلَى الْيَمَنِ - فَذَكَرَ الْحَدِيثَ - قَالَ : فَكَتَبَ عَلَيٌّ بإسْلاَمِهِم فَلَمَّا قَـــرَأَ رَسُــولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْكَتَابَ خَرَّ سَاجِدًا ؛ شُكْرًا لِلَّهِ - تَعَالَى - عَلَى ذَلِكَ». رواه الْبَيْهَقِيُّ ، وأَصْلُهُ فِي الْبُحَارِيُّ .

<sup>136-</sup> The Messenger of Allâh said to 'Abdur Rahmân (who was watching him at the time), "Jibrîl came to me and said, 'Shall I not give you glad tidings?' Allâh says to you, "Whoever prays upon you, I pray upon him. Whoever salutes you (says Assalamu 'Alaikum) I salute him." Therefore I prostrated to Allâh in Thanks." In another narration, "Whoever prays upon you once, Allâh will pray upon him 10 times."

373. Al-Barâ' bin 'Âzib (RAA) narrated, 'The Messenger of Allâh se sent 'Alî to Yemen – and Al-Barâ' mentioned the rest of the *Hadîth*. He continued, "'Alî then sent a letter telling (the Prophet se) that they had embraced Islâm. When the Messenger of Allâh read the letter, he went down to prostrate in gratitude to Allâh, the Almighty, for this." Related by al-Baihaqî.

## بَسابُ صَسلاَةِ التَّطَسوُّعِ

## Chapter IX: Supererogatory (voluntary) Prayer

٣٧٤ ــ عَــنْ رَبِــيعَةَ بْنِ مَالِك الأَسْلَمِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَنْهُ عَلَيْهِ وَسَلَّمَ : «سَلْ» ، فَقُلْتُ : أَسْأَلُكَ مُرَافَقَتَكَ فِي الْجَنَّةِ ، فَقَالَ : «أَوَ غَــيْرَ ذَلِــكَ» ، فَقُلْــتُ : هُوَ ذَاكَ ، قَالَ : «فَأُعِنِّي عَلَى نَفْسِكِ بِكَثْرُةِ السِّجُودِ». رَوَاهُ مُسْلِمٌ .

374. Rabî'ah bin Ka'b Al-Aslamî (RAA) narrated that the Messenger of Allâh sonce said to me, "Ask (me about whatever you want)." I said, 'I ask your company in Paradise.' He then said so, "Or anything else (that you want to ask for)?" I said, "That is it.' He said, "Then help me to achieve this (wish) for you, by prostrating as much as you can." Related by Muslim.

٣٧٥ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «حَفِظْتُ مِنَ النَّبِيِّ صَلَّى اللَّهُ عَلْمُ اللَّهُ وَسَلَّمَ عَشْرُ رَكَعَات : رَكْعَتَيْنِ قَبْل الظَّهْرِ ، وَرَكْعَتَيْنِ بَعْدَهَا ، وَرَكْعَتَيْنِ بَعْدَ الْمُشْءِ ، وَرَكْعَتَيْنِ بَعْدَهَا ، وَرَكْعَتَيْنِ بَعْدَ الْمُشْءِ ، وَرَكْعَتَيْنِ فَبْلَ الصَّبْحِ». الْمَغْسَرِب فِسي بَيْسِهِ ، وَرَكْعَتَيْنِ فَبْلَ الصَّبْحِ». مُثَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لَهُمَا : «وَرَكْعَتَيْنِ بَعْدَ الْحُمْعَةِ فِي بَيْتِهِ».

375. Ibn 'Umar (RAA) narrated, "I learnt and observed from the Messenger of Allâh ﷺ, ten rak 'ât (of Sunnah or non-obligatory

<sup>137-</sup> The Prophet # was referring to prostrating in prayer. The kind of prayer he is guiding Rabî'ah to perform, is the voluntary prayer, as every Muslim must perform the obligatory prayer anyway. (Imâm As-San'ânî in Subul As-Salâm).

prayers)<sup>138</sup>: two before  $\underline{Dh}uhr$  prayer, and two after it, two after Maghrib in his house, two after  $Ish\hat{a}'$  in his house and two  $rah'\hat{a}t$  before Fajr."Agreed upon. In another narration by Al-Bukhârî and Muslim, 'and two  $rah'\hat{a}t$  after the Friday prayer in his house."

376. Muslim reported on the authority of Ibn 'Umar, 'The Messenger of Allâh sused to pray only two short rak at (i.e. would recite short verses of the Qur'ân) when it was time for Fajr prayer."

377. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh sused to always pray four rak'ât before <u>Dh</u>uhr and two rak'ât before Fajr under all circumstances." Related by Al-Bukhârî.

378. Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ was never so regular and keen on observing any supererogatory prayer, as he was in observing the two rak 'ât before Fajr prayer.' Agreed upon.

379. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, "The two rak'ât of Fajr are better than this world and all that it contains." Related by Muslim.

<sup>138-</sup> Ibn 'Umar here is referring to the non-obligatory prayers that are offered before and after the prescribed ones.

لَهُ بِهِنَّ بَيْتٌ فِي الْحَنَّةِ». رَوَاهُ مُسْلِمٌ ، وَفِي رِوَايَةٍ : «تَطَوُّعُا».

380. Umm Habîbah, Mother of believers (RAA) narrated, 'I heard the Messenger of Allâh say, "Whoever prays twelve rak'ât during the day and night will have a house built for him in paradise." Related by Muslim. In another narrations, "twelve voluntary rak'ât."

٣٨١ ـــ وَلِلتَّرْمِذِيِّ نَحْوُهُ ، وَزَادَ : «أَرْبَعًا قَبْلَ الظَّهْرِ ، وَرَكْعَتَيْنِ بَعْدَهَا ، وَرَكْعَتَيْنِ بَعْدَ الْمَغْرِبِ ، وَرَكْعَتَيْنِ بَعْدَ الْعِشَاءِ ، وَرَكْعَتَيْنِ قَبْلَ صَلاَّةِ الْفَحْرِ».

381. At-Tirmidhî related a similar narration with the addition, "four rak'ât before <u>Dh</u>uhr and two after it, two rak'ât after <u>Maghrib</u>, two rak'ât after <u>Ishâ'</u> and two rak'ât before <u>Fajr</u>."

٣٨٢ ـــ وَلِلْحَمْسَــةِ عَنْهَا : «مَنْ حَافَظَ عَلَى أَرْبَعٍ قَبْلَ الظَّهْرِ ، وَأَرْبَعٍ بَعْدَهَا حَرَّمَهُ اللَّهُ – تَعَالَى – عَلَى النَّارِ».

382. Umm Habîbah, Mother of believers (RAA) narrated, 'I heard the Messenger of Allâh say, "Whoever prays four rak'ât before <u>Dh</u>uhr and four after it, Allâh will prohibit that his flesh be in the Hell Fire (i.e. will protect him from entering the Fire)." Related by the five Imâms.

٣٨٣ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «رَحِـــمَ اللَّــهُ إِمْرَأُ صَلَّى أَنْبَعًا قَبْلَ الْعَصْرِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمَذِيُّ ، وَحَسَّنَهُ . وَابْنُ خُزَيْمَةَ ، وَصَحَّحَهُ .

383. 'Abdullâh Ibn 'Umar (RAA) narrated that Allâh's Messenger said, "May Allâh have mercy on a person who prays four rah 'ât before 'Asr." Related by Ahmad, Abû Dawûd, At-Tirmidhî (who rendered it Hasan) and Ibn Khuzaimah.

٣٨٤ ـــ وَعَـــنْ عَـــبْدِ اللَّهِ بْنِ مُغَفَّلِ الْمُرْنِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا قَبْلَ الْمَغْرِبِ ، صَلُّوا قَبْلَ الْمَغْرِبِ» ، ثُمَّ قَالَ فِي الثَّالِثَةِ : «لِمَنْ شَاءَ» كَرَاهِيَةَ أَنْ يَتَّخِذَهَا النَّاسُ سُنَّةً . رُوُاهُ الْبُخَارِيُّ .

384. 'Abdullâh bin Mughaffal Al-Muzanî (RAA) narrated that Allâh's Messenger said, "Pray before Maghrib (prayer)! Pray before Maghrib (prayer)!" And after saying it a third time, he said: "For whoever wishes to do so," not wanting the people to take it as a Sunnah.' Related by Al-Bukhârî.

٣٨٥ ــ وَفِــي رِوَايَــةٍ لابْــنٍ حِبَّانَ : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى قَبْلَ الْمَغْرِبِ رَكْعَتَيْنِ».

385. In another version related by Ibn Hibbân on the authority of Ibn Mughaffal, "The Prophet prayed two rak'ât before Maghrib prayer."

٣٨٦ ـــ وَلِمُسْلَمٍ عَنِ ابْنِ عَبَّاسِ قَالَ : «كُنَّا نُصَلِّي رَكْعَتَيْنِ بَعْدَ غُرُوبِ الشَّمْسِ ، وَكَانَ النَّبِيُّ صَلِّى اللَّهُ عَلَيْه وَسَلَّمٌ يَرَانَا ، فَلَمْ يَأْمُرُنَا ، وَلَمْ يَنْهَنَا».

386. Ibn 'Abbâs (RAA) narrated, 'We used to pray two rah'ât after sunset (before the Maghrib prayer), and the Prophet & would see us, but he did not order us to do so, nor did he prohibit us.' Related by Muslim.

٣٨٧ \_ وَعَـــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يُخَفِّــفُ الرَّكْعَتَـــيْنِ اللَّتَــيْنِ قَبْلَ صَلاَةِ الصُّبْحِ ، حَثَّى إِنِّي أَقُولُ : أَقَرَأُ بِأُمَّ الْكِتَابِ ؟». مُثَّفَقٌ عَلَيْهِ .

387. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh sused to make the two rak'ât before Fajr so short that I used to say (to myself), "Has he recited the Fâtihah (in each rah'ah) or not?" Agreed upon.

٣٨٨ ـــ وَعَنْ أَبِي هُرَيْرَةَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَرَأَ فِي رَكْعَتَي الْفَجْرِ : { فَلْ يَهُوَ اللَّهُ أَحَدٌ } [الإِخْلاَص : ١] . وَ { قُلْ هُوَ اللَّهُ أَحَدٌ } [الإِخْلاَص : ١] . رَوَاهُ مُسْلَمٌ .

388. Abu' Hurairah (RAA) narrated, The Messenger of Allâh

recited the following (Sûras) in the two rak at before Fajr prayer: "Say: O disbelievers" (Sûrah no. 109) and "Say, He is Allâh (the) One ..." (sûrah no. 112).' Related by Muslim.

٣٨٩ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا صَلَّى رَكْعَتَي الْفَحْرِ اضْطَحَعَ عَلَى شِقّهِ الأَيْمَنِ». رَوَاهُ الْبُخَارِيُّ .

389. Â'ishah (RAA) narrated, 'The Messenger of Allâh  $\frac{1}{2}$  used to lie down on his right side after he had prayed the two rak at before the Fajr prayer." Related by Al-Bukharî.

٣٩٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِذَا صَـــلَّى أَحَدُكُـــمْ الرَّكْعَتَيْنِ قَبْلَ صَلاَةِ الصُّبْحِ فَلْيَضْطَجِعْ عَلَى جَنْبِهِ الإِيْمَنِ». رَوَاهُ أَحَمْدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

390. Abû Hurairah (RAA) narrated that the Prophet said, "After any of you prays the two rah at before Fajr prayer, he should lie down on his right side." Related by Ahmad, Abû Dawûd and At-Tirmidhî who graded it as <u>Sahîh</u>.

٣٩١ ـــ وَعَنِ ابْنِ عُمَر - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلاَةُ اللَّيْلِ مَثْنَى مَثْنَى ، فَإِذَا خَشِيَ أَحَدُكُمُ الصُّبْحَ صَلَّى رَكْعَةً وَاحِدَةً ، تُوتِرُ لَهُ مَا قَدْ صَلِّى». مُتَّفَقٌ عَلَيْهِ .

391. 'Abdullâh Ibn 'Umar (RAA) narrated that Allâh's Messenger said, "The night prayer is (performed) in sets of two rak'ât. If one fears the breaking of dawn, he should perform one (more) rak'ah, thereby making all of them (into an) odd (number of rak'ât) (witr)." Agreed upon.

٣٩٢ ـــ وَلَلْحَمْسَــة - وَصَــحَّحَهُ ابْنُ حِبَّانَ - بِلَفْظِ : «صَلاَةُ اللَّيْلِ وَالنَّهَارِ مَثْنَى مَثْنَى». وَقَالَ النَّسَائيُّ : هَذَا خَطَأْ .

392. The five Imâms related on the authority of Abu' Hurairah, "The prayer of the night prayer and the day is (perfor-

med) in sets of two rak'ât." Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>, but An-Nasâ'î said that this was wrong.<sup>139</sup>

٣٩٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَفَضْلُ الصَّلاَةِ بَعْدَ الْفَرِيضَةِ صَلاَةُ اللَّيْلِ». رَوَاهُ مُسْلِمٌ .

393. Abû Hurairah (RAA) narrated that the Prophet said, "The best prayer (that you may perform) next to the obligatory prayer, is the night prayer." Related by Muslim.

٣٩٤ \_ وَعَــنْ أَبِــي أَيُوبَ الأَنْصَارِيُّ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْوِئْــرُ حَقِّ عَلَى كُلِّ مُسْلِمٍ ، مَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسِ فَلْيَفْعَلْ ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسِ فَلْيَفْعَلْ ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسِ فَلْيَفْعِلْ». رَوَاهُ الأَرْبَعَةُ إِلاَّ يُوتِرَ بِوَاحِدَةٍ فَلْيَفْعِلْ». رَوَاهُ الأَرْبَعَةُ إِلاَّ التَّرْمِذِيِّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَرَجَّعَ النَّسَائِيُّ وَقَنْهُ .

394. Abû Aiyûb Al-Ansârî (RAA) narrated that the Messenger of Allâh said, "Witr is a duty upon every Muslim. If anyone wishes to observe it by performing five rak'ât, he may do so, and if anyone wishes to observe it with three rak'ât, he may do so, and if he wishes to observe it with one rak'ah, he may do so."Related by the four Imâms except for At-Tirmidhî. Ibn Hibbân graded it as <u>Sahîh</u>.

٣٩٥ \_ وَعَــنْ عَلِــيٌّ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَيْسَ الْوِثْرُ بِحَثْمِ
 كَهَيْــئةِ الْمَكْــتُوبَةِ ، وَلَكِــنْ سُــنَّةٌ سَــنَّهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ».
 رَوَاهُ التَّرْمِذِيُّ وَحَسَّنَهُ ، وَالنَّسَائِيُّ وَالْحَاكِمُ وَصَحَّحَهُ .

395. 'Alî bin Abî Tâlib (RAA) narrated, 'The Witr Prayer is not as obligatory as the prescribed prayers, but it is a Sunnah of the Prophet ." Related by At-Tirmidhî who said that it was

<sup>139-</sup> The extra wording 'and day,' has been reported on the authority of 'Alî bin 'Abdullâh al-Azdî, who was reported to be a weak narrator by Ibn Ma'în. The narration about the night prayer is also mentioned in Al-Bukhârî and Muslim but without the phrase'and day'. Imâm As-San'ânî says that it could be that both are permissible, i.e. to pray (voluntary prayer) during the day sets of two or four rak'ât

 $\underline{\underline{H}}asan$ . An-Nasâ'î and Al- $\underline{\underline{H}}$ âkim also related it, and the latter declared it  $\underline{\underline{S}}a\underline{h}\hat{\imath}\underline{h}$ .

٣٩٦ ــ وَعَنْ جَابِرِ بْنِ عَبْدِ اللّهِ - رَضِيَ اللّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــامَ فِي شَهْرِ رَمَضَانَ ، ثُمَّ انْتَظَرُوهُ مِنَ الْقَابِلَةِ فَلَمْ يَخْرُجْ ، وَقَالَ : «إِنِّي خَشِيتُ أَنْ يُكْتَبَ عَلَيْكُمُ الْوِتْرُ». رَوَاهُ ابْنُ حِبَّانَ .

396. Jâbir bin 'Abdullâh (RAA) narrated, 'Allâh's Messenger prayed the late night prayer (Tahajjud) in Ramadân one night. The following night, people waited for him to come for the night prayer (to join him), but he did not come out. He said to them, "I was afraid that witr might become compulsory for you." Related by Ibn Hibbân. 140

٣٩٧ \_ وَعَــنْ خَارِجَةً بْنِ حُذَافَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ أَمَدَّكُمْ بِصَلاَةٍ هِيَ خَيْرٌ لَكُمْ مِنْ حُمْرِ النَّعَمِ». قُلْنَا : وَمَا هِـــيَ يَـــا رَسُــولَ اللَّهِ ؟ قَالَ : «الْوِثْرُ ، مَا بَيْنَ صَلاَةِ الْعِشَاءِ إِلَى طُلُوعِ الْفَحْرِ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

397. Khârijah bin <u>H</u>udhâfah (RAA) narrated that 'Allâh's Messenger said,"Allâh, the Exalted has given you an extra prayer which is better for you than red camels (i.e. the best breed of camels)." We then said, 'Which prayer is that O Messenger of Allâh?' He said, "The Witr prayer. You may perform it (any time) between the 'Ishâ' and Fajr prayer." Related by the five Imâms except An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sah</u>îh.

398. Ahmad related a similar narration on the authority of 'Amro bin Shu'aib on the authority of his father who narrated it on the authority of his grandfather.

<sup>140-</sup> The narration of Al-Bukhârî has the wording, "The following night, people waited for the Prophet 秀 to come out for the night prayer, but he didn't. In the morning, the people asked him about it. He replied, 裳 that he was afraid that the night prayer might become compulsory on them.

٣٩٩ ــ وَعَنْ عَبْدِ اللَّهِ بْنِ يُرَيْدَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ أَبِيهِ قَالَ : قَالَ رَسُولُ اللّه صَـــلّى اللّــهُ عَلَيْهِ وَسَلَّمَ : «الْوِتْرُ حَقٌّ ، فَمَنْ لَمْ يُوتِرْ فَلَيْسَ مِنَّا». أَخْرَحَهُ أَبُو دَاوُدَ بِسَنَدِ لَيْنِ ، وَصَحَّحَهُ الْحَاكِمُ .

399. 'Abdullâh bin Buraidah (RAA) narrated on the authority of his father, 'Allâh's Messenger ﷺ said, "Praying witr is a duty, so he who does not observe it is not one of us." Related by Abû Dawûd with a weak chain of narrators 141 but Al-Hâkim graded it as <u>Sahîh.</u> 142

400. Imâm Ahmad reported a similar narration on the authority of Abû Hurairah but with an interrupted chain of narrators.

٤٠١ ــ وعَـــنُ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : مَا كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَزِيدُ فِي رَمَضَانَ وَلاَ فِي غَيْرِهِ عَلَى إِحْدَى عَشْرَةَ رَكْعَةً ، يُصَلِّي أَرْبَعًا ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، ثُمَّ يُصَلِّي أَرْبَعًا ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، ثُمَّ يُصَلِّي أَرْبَعًا ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، فَلاَ تَسْأَلُ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ ، وَطُولِهِنَّ ، عَالَمَ عَالِمَةُ عَلَيْهِ ، أَتَنَامُ قَبْلَ أَنْ تُوتِرَ ؟ قَالَ : « إِنَّ عَلِيْهَ ، أَنْ عَيْنَيَ تَنَامَانِ وَلاَ يَنَامُ قَلْبِي». مُثَّفَقٌ عَلَيْهِ .

401. 'Â'ishah (RAA) narrated, "Allâh's Messenger kenever exceeded praying eleven rak'ât (that was his voluntary night prayer) whether during Ramadân or otherwise. He would pray four rak'ât, and don't ask how perfect or how lengthy they were. Then he would pray four other rak'ât and do not ask how perfect they were or how lengthy they were. Then he would pray three rak'ât.

<sup>141-</sup> The chain of narrators has 'Abdullâh bin 'Abdullâh Al-'Atakî, who was reported to be a weak narrator by Al-Bukhârî and Muslim.

<sup>142-</sup> Scholars said that praying witr is only a confirmed Sunnah (i.e. the Sunnah which the Prophet % did not leave performing whether traveling or at home) and is not obligatory as the Messenger of Allâh & said to Mu'âdh when he sent him to Yemen, Tell them that five prayers during the day and night have been prescribed by Allâh upon them." Related by Al-Bukhârî and Muslim.

I asked, 'O Messenger of Allâh! Do you sleep before praying witr?' He replied, "O 'Â'ishah, my eyes sleep but my heart remains awake." Agreed upon.

٤٠٢ ـــ وَفِـــي رِوَايَــة لَهُمَا عَنْهَا : «كَانَ يُصلِّي مِنَ اللَّيْلِ عَشْرَ رَكَعَاتٍ ، وَيُوتِرُ بِسَحْدَةٍ ، وَيَرْكَعُةً».
 بِسَحْدَةٍ ، وَيَرْكُعُ رَكْعَتَي الْفَحْرِ ، فَتِلْكَ ثَلاَثَ عَشْرَةَ رَكْعَةً».

402. In another version by Al-Bukhârî and Muslim, "He used to pray ten  $rak'\hat{a}t$  during the night, and then observe the witr with a single rak'ah before praying the two (voluntary)  $rak'\hat{a}t$  before Fajr. This would make them thirteen  $rak'\hat{a}t$  in all."

٤٠٣ ــ وَعَـــنْهَا قَالَـــتْ : «كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُصَلَّي مِنَ اللَّيْلِ
 ثَلاَثَ عَشْرَةَ رَكْعَةً ، يُوتِرُ مِنْ ذَلِكَ بِخَمْسٍ ، لاَ يَحْلِسْ فِي شَيْءٍ إِلاَّ فِي آخِرِهَا».

403. In another narration by Muslim, 'Â'ishah (RAA): said, "Allâh's Messenger twould perform thirteen rah'ât during the night, and would make the witr with five of them. He would not sit (during those five rah'ât) except in the last one."

٤٠٤ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «مِنْ كُلِّ اللَّيْلِ قَدْ أَوْتَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ، وَالنَّهَى وثْرُهُ إِلَى السَّحَرِ». مُتَّفَقٌ عَلَيْه .

404. In another narration 'Â'ishah (RAA) said, "Allâh's Messenger ## prayed the witr prayer at all hours of the night, (extending from after the 'Ishâ' prayer) up to the Sahar time<sup>143</sup> (meaning up to the last hour of the night up to the Fajr prayer).' Agreed upon.

٤٠٥ ـــ وَعَـــنْ عَبْدِ اللّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : قَالَ لِي رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ : «يَا عَبْدَ اللّهِ ، لا تَكُنْ مِثْلَ فُلاَن ، كَانَ يَقُومُ مِنَ اللّهِ ، لا تَكُنْ مِثْلَ فُلاَن ، كَانَ يَقُومُ مِنَ اللّهِ ، لا تَكُنْ مِثْلَ فُلاَن ، كَانَ يَقُومُ مِنَ اللّهِ ، فَتَرَكَ قِيَامَ اللّيْلِ». مُتَّفَقٌ عَلَيْهِ .

405. 'Abdullâh bin 'Amro bin al-'Âas (RAA) narrated, 'The

<sup>143-</sup> The Sahar time refers to the final third of the night. The Prophet 第 prayed witr at all times of the night to show that it is permissible.

Messenger of Allâh said to me, "O 'Abdullâh, don't be like so and so who used to observe the night prayer and then he stopped it." Agreed upon.

٢٠٦ ـ وَعَــنْ عَلِــيِّ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «أَوْتِــرُوا يَــا أَهْلَ الْقُرْآنِ ؛ فَإِنَّ اللَّهَ وِثْرٌ يُحِبُّ الْوِثْرَ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

406. 'Alî (RAA) narrated that Allâh's Messenger said, "'O you people [followers] of the Qur'ân, perform the Witr prayer for Allah is Witr (i.e. One) and He loves all that is witr (i.e. odd in number)." Related by the five Imâms and Ibn Khuzaimah graded it as <u>Sahîh</u>.

٤٠٧ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «اجْعَلُوا آخِرَ صَلاَتِكُمْ بِاللَّيْلِ وِثْرًا». مُتَّفَقٌ عَلَيْهِ .

407. Ibn 'Umar (RAA) narrated that Allâh's Messenger said, "Perform the Witr prayer, as the last of your night prayers." Agreed upon.

٤٠٨ ـــ وَعَنْ طَلْقِ بْنِ عَلِيٍّ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ :
 «لا وِثْرَانِ فِي لَيْلَةٍ». رَوَاهُ أَحْمَدُ ، وَالثَّلاَئَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

٩٠٤ ـــ وَعَنْ أَبِيَّ بْنِ كَعْبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى } [الأَعْلَى : ١] ، وَ {قُلْ يَا أَيُّهَا الْكَافِرُونَ } [الْإخْلَق : ١] ، وَ {قُلْ يَا أَيُّهَا الْكَافِرُونَ } [الْإخْلاَص : ١]. رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ . وَزَادَ : «وَلاَ يُسَلِّمُ إِلاَّ فِي آخِرِهِنَّ».

409. Ubay bin Ka'b (RAA) narrated that the Messenger of Allâh sused to recite, "Glorify the Name of Your Lord."

(sûrah al-A'lâ no. 87), "Say: O disbelievers" (sûrah al-Kâfirûn no. 109) and "Say, He is Allâh (the) One..." (sûrah al-Ikhlâs no. 112)<sup>144</sup>," in the Witr prayer.' Related by Ahmad, Abû Dawûd and An-Nasâ'î. An-Nasâ'î added in his narration, He would say the Taslîm at the end of the three rah'ât (i.e. he would recite one Tashahhud in the final rah'ah)'

٤١٠ ـــ وَلاَّبِي دَاوُدَ وَالتَّرْمِذِيِّ نَحْوُهُ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - ، وَفِيهِ : كُلُّ سُورَةٍ فِي رَكْعَةٍ ، وَفِي الأَّحِيرَةِ : {قُلْ هُوَ اللَّهُ أَحَدٌ } [الإِحْلاَس : ١] ، وَالْمُعَوِّذَتَيْنِ.

410. Abû Dawûd and At-Tirmidhî related a similar narration on the authority of 'Â'ishah (RAA), who said, 'He would '\( \frac{\pi}{a}\) recite each  $s\hat{u}rah$  in a rak 'ah. In the last one he would recite, "Say, He is Allâh (the) One.....", al-Falaq and an-Nâs (i.e. the last three  $S\hat{u}ras$  in the Qur'ân).'

٤١١ ـــ وَعَـــن أبـــي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَمَ قَالَ : «أَوْتِرُوا قَبْلَ أَنْ تُصْبِحُوا». رَوَاهُ مُسْلِمٌ .

411. Abû Sa'îd al-Khudrî (RAA) narrated that Allâh's Messenger said, "Observe the Witr prayer before the breaking of dawn." Related by Muslim.

412. Ibn Hibbân related on the authority of Abû Sa'îd al-Khudrî (RAA), "If any of you misses praying witr until the break of dawn, then he should not pray it."

٤١٣ ـــ وَعَـــنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ نَامَ عَنْ الوِثْرِ أَوْ نَسيَهُ فَلْيُصَل إِذَا أَصْبَحَ أَوْ ذَكَرَ» رَوَاهُ الْحَمْسَةُ إِلاَّ النَّسَائيَّ.

413. Abû Sa'îd Al-Khudrî (RAA) narrated that Allâh's Messenger said, "If any of you sleeps and misses the witr, or if he forgets to pray it, then he should pray it when he

<sup>144-</sup> He would \$\mathbb{g}\$ recite al-A'l\hat{a}\$ in the first rak'ah, al-K\hat{a}fir\hat{u}n\$ in the second rak'ah and al-Ikhl\hat{a}s in the last rak'ah.

wakes up or when he remembers."145 Related by the five Imâms except for An-Nasâ'î.

٤١٤ \_ وَعَنْ حَابِرٍ قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ : «مَنْ خَافَ أَنْ لاَ يَقُرمَ مِنْ آخِرِهُ فَلْيُوتِرْ آخِرَ اللّيْلِ ، فَإِنَّ يَقُومَ آخِرِهُ فَلْيُوتِرْ آخِرَ اللّيْلِ ، فَإِنَّ صَلاَةَ آخِرِ اللّيْلِ مَشْهُودَةٌ ، وَذَلِكَ أَفْضَلُ». رَوَاهُ مُسْلِمٌ .

414. Jâbir (RAA) narrated that the Messenger of Allâh said, "Whoever of you fears that he will not be able to wake up during the latter part of the night, he should pray the witr during the early part of the night. And whoever of you believes that he will be able to wake during the latter part of the night, he should then delay the witr to the latter part of the night, as the prayer at that time is attended by the angels (i.e. attended by the angels of the night and the angels of the day), and that is better." Related by Muslim.

٥١٥ ـــ وَعَـــنِ ابـــن عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالُ : «إِذًا طَلَعَ الْفَحْرُ فَقَدْ ذَهَبَ وَقْتُ كُلِّ صَلاَةِ اللَّيْلِ وَالْوِثْرِ ، فَأَوْتِرُوا قَبْلَ طُلُوعِ الْفَحْرِ». رَوَاهُ التَّرْمِذِيُّ .

415. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "When the dawn breaks, all the time (permissible) for the night prayer and the witr prayer has gone by then. So pray witr before the breaking of dawn." Related by At-Tirmidhî.

٢١٦ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ يُصَلِّي الضُّحَى أَرْبَعًا ، وَيَزِيدُ مَا شَاءَ اللَّهِ». رَوَاهُ مُسْلِمٌ .

416. Â'ishah (RAA) narrated, "Allâh's Messenger se would pray four rak'ât for  $a\underline{d}$ - $\underline{D}u\underline{h}$ â<sup>146</sup> and he added to it(i.e. more rak'ât) whatever Allâh willed." Related by Muslim.

<sup>145.</sup> The majority of scholars are of the opinion that if one misses the witr prayer for any reason, it is recommended that he makes up for it.

<sup>146-</sup> The mid-morning voluntary prayer. Its time starts after the sun is well

١٧٤ ـــ وَلَهُ عَنْهَا - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّهَا سُئلَتْ : هَلْ كَانَ رَسُولُ اللَّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي الضُّحَى ؟ قَالَتْ : لاَ ، إلاّ أَنْ يَجِيءَ مِنْ مَغيبه».

417. 'Â'ishah (RAA) was asked whether the Messenger of Allâh  $\frac{1}{2}$  used to pray  $a\underline{d}$ - $\underline{D}u\underline{h}\hat{a}$ , she replied, 'No, unless he was returning from a journey.' Related by Muslim.

٤١٨ ـــ وَلَـــهُ عَـــنْهَا - رَضِيَ اللَّهُ عَنْهَا - : «مَا رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ يُصَلِّي قَطُّ سُبْحَةُ الضُّحَى ، وَإِنِّي لأُسَبَّحَهُا».

418. 'Â'ishah (RAA) narrated, "I have never seen the Messenger of Allâh see offer the (voluntary) <u>Duh</u>â prayer, but I prayed it." 147

١٩ هـ وَعَنْ زَيْدِ بْنِ أَرْقَمَ - رَضِيَ اللّهُ عَنْهُ - أَنَّ رَسُولَ اللّهِ صَلَى اللّهُ عَلَيْهِ وَسَلّمَ
 قَالَ : «صَلاَةُ الأَوَّابِينَ حِينَ تَرْمِضُ الْفِصَالُ». رَوَاهُ التِّرْمِذِيُّ .

419. Zaid bin Arqam (RAA) narrated, 'Allâh's Messenger \$\mathscr{E}\$ prayed the prayer of penitence when the young weaned camels feel the heat of the sun (i.e. feel that the desert sand is too hot)." Related by At-Tirmidhî.

٤٢٠ ـــ وَعَـــنْ أَنـــس -- رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ وَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : « مَـــنْ صَلَّى الضُّحَى اثْنَتَيْ عَشْرَةَ رَكْعَةٌ بَنَى اللَّهُ لَهُ قَصْرًا فِي الْجَنَّةِ » .
 رَوَاهُ التَّرْمِذِيُّ وَاسْتَعْرَبَهُ .

420. Anas Ibn Mâlik (RAA) narrated that Allâh's Messenger said, "Whoever prays twelve rah'ât for <u>Duh</u>â prayer,

up in the sky until just before

<sup>147-</sup> It was proven in al-Bukhârî and Muslim, through <u>Sahîh(sound)</u> A<u>h</u>âdîth that the messenger of Allâh  $\frac{1}{2}$  prayed  $a\underline{d}\cdot\underline{D}u\underline{h}$ â prayer, but did not perform it in front of the companions, and he also may not have performed it every day for fear that his companions would follow his example. As for what 'Aishah (RAA) said, it was very rare that the Prophet  $\frac{1}{2}$  would be present at her house at the time of  $a\underline{d}\cdot\underline{D}u\underline{h}$ â, so it is true that she has not seen him pray it, or maybe she meant that he did not pray it regularly. (Ibn Hajar in 'fat<u>h-ul</u>-Bârî'.)

Allâh, the Almighty will build for him a palace in Paradise." Related by At-Tirmidhî but with a weak chain of narrators.

٤٢١ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «دَخَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْتِي ، فَصَلَّى الضُّحَى ثَمَانِي رَكَعَاتٍ». رَوَاهُ ابْنُ حِبَّانَ فِي صَحِيحِهِ .

421. Â'ishah (RAA) narrated, The Messenger of Allâh 🎉 came into my house and prayed eight rah'ât for ad-Duhâ.' Related by Ibn Hibbân in his <u>Sahîh</u>.

# بَابُ صَالَةِ الْجَمَاعَةِ وَالإِمَامَةِ

#### Chapter X: Congregational Prayer and The Position of Imâm

٤٢٢ ــ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــــنَّمَ قَـــــالَ : «صَــــــلاَةُ الْجَمَاعَةِ أَفْضَلُ مِنْ صَلاَةِ الْفَذَّ بِسَبْعٍ وَعِشْرِينَ دَرَجَةٌ». مُتَّفَقٌ عَلَيْه .

422. Abdullâh bin 'Umar (RAA) narrated that Allâh's Messenger said, "The prayer offered in congregation is twenty seven times more superior (in reward) to the prayer performed individually." Agreed upon.

423. Al-Bukhârî and Muslim related on the authority of Abû Hurairah, "twenty five parts."

424. Al-Bukhârî transmitted on the authority of Abû Sa'îd, "twenty five degrees."

٥٢٥ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «وَالَّذِي نَفْسِي بِيَدِهِ لَقَدْ هَمَمْتُ أَنْ آمُرَ بِحَطَبٍ فَيُحْتَطَبَ ، ثُمَّ آمُرَ بِالصَّلاَةِ فَــــُوْذَنَ لَهَا ، ثُمَّ آمُرَ رَجُلاً فَيَوُمَّ النَّاسَ ، ثُمَّ أُخَالِفُ إِلَى رِجَالِ لاَ يَشْهَلُون الصَّلاَةَ فَأَحَرِّقُ عَلَيْهِمْ بُيُوتَهُمْ ، وَالَّذِي نَفْسِي بِيَدِهِ لَوْ يَعْلَمُ أَحَدُهُمْ أَنَّهُ يَجِدُ عِرْقًا سَمِينًا ، أَوْ مِرْمَامَتَيْنِ حَسَنَتَيْنِ لَشَهِدَ الْعِشَاءَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

said, "By the One in Whose Hand my soul is, I was about to give orders for the collection of fire-wood (fuel) and then order someone to announce the Adhân for prayer to be called, and then ask someone to lead the prayer. Then I wanted to go from behind and burn the houses of the men, who do not attend the (obligatory congregational) prayer. By the One in Whose Hand my soul is, if any of them had known that he would get a bone covered with good meat or two (small) pieces of meat in between two ribs, he would have turned up for the 'Ishâ' prayer." Agreed upon, and this narration is from Al-Bukhârî.

٢٦٦ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَثْقَلُ الصَّلاَةِ عَلَى الْمُنَافِقِينَ : صَلاَةُ الْعِشَاءِ ، وَصَلاَةُ الْفَحْرِ ، وَلَوْ يَعْلَمُونَ مَا فِيهِمَا لأَتَوْهُمَا وَلَوْ حَبْوًا». مُتَّفَقَّ عَلَيْه .

426. Abû Hurairah (RAA) narrated that Allâh's Messenger said, "No prayer is harder for the hypocrites than the Fajr and the 'Ishâ' prayers, and if they knew the reward (for observing these two prayers in congregation), they would certainly come to the mosque, even if they had to crawl." Agreed upon.

٤٢٧ ـــ وَعَـــنْهُ قَالُ : أَتَّى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلٌ أَعْمَى فَقَالُ : يَا رَسُولُ اللَّهِ ، إِنَّهُ لَيْسَ لِي قَائِدٌ يَقُودُنِي إِلَى الْمَسْجِدِ ، فَرَخَّصَ لَهُ ، فَلَمَّا وَلَّى دَعَاهُ ، فَقَالَ : «هَلْ تَسْمَعُ النَّدَاءَ بِالصَّلاَةِ ؟» قَالَ : نَعَمْ . قَالَ : «فَأَجِبْ». رَوَاهُ مُسْلِمٌ .

427. Abû Hurairah (RAA) narrated that a blind man came to the Prophet and said to him, 'O Messenger of Allâh, I have no one to guide me to the mosque.' (He was asking for the permission of the Prophet to pray in his house). The Prophet gave him

permission to pray at home, but when he turned to go back, the Prophet ﷺ called him and said, "Do you hear the Adhân?" The blind man said, 'Yes.' The Prophet ﷺ then said, "Then respond to it (by coming to the mosque)." Related by Muslim.

٤٢٨ ــ وَعَنِ ابْنِ عَبَّاسٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ سَمِعَ النِّدَاءَ فَلَمْ
 يَـــانْتِ فَــــالاً صَلاَةً لَهُ إِلاَّ مِنْ عُذْرٍ». رَوَاهُ ابْنُ مَاجَهْ ، وَالدَّارَقُطْنِيُّ ، وَابْنُ حِبَّانَ ،
 وَالْحَاكِمُ ، وَإِسْنَادُهُ عَلَى شَرْطٍ مُسْلِمٍ ، لَكِنْ رَجَّحَ بَعْضُهُمْ وَقَٰقَهُ .

428. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "If anyone hears the Adhân, but does not come to the (congregational) prayer (at the mosque), the prayer he offers will not be accepted unless he has an excuse." Related by Ibn Mâjah, Ad-Dâraqutnî, Ibn Hibbân and Al-Hâkim.

٤٢٩ ـ وَعَنْ يَزِيدَ بْنِ الأَسْوَدِ أَنَّهُ صَلَّى مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا اللَّهُ عَلَيْهِ وَسَلَّمَ ، إِذَا هُوَ بِرَجُلَيْنِ لَمْ يُصَلِّيا ، الصَّسبْحِ ، فَلَمَّا صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، إِذَا هُوَ بِرَجُلَيْنِ لَمْ يُصَلِّيا ، فَدَعَا بِهِمَا ، فَجَيءَ بِهِمَا تُرْعُدُ فَرَائِصُهُمَا ، فَقَالَ لَهُمَا : «مَا مَنعَكُما أَنْ تُصَلِّيا فَدَعَا ؟» قَالاً : قَدْ صَلَّيْنَا فِي رِحَالِنَا . قَالَ : «فَلاَ تَفْعَلاَ ، إِذَا صَلَّيْتُمَا فِي رِحَالِكُمَا ثُمَّ مَعْنَا ؟» قَالاً : قَدْ صَلَّيْنَا فِي رِحَالِنَا . قَالَ : «فَلاَ تَفْعَلاَ ، إِذَا صَلَّيْتُمَا فِي رِحَالِكُمَا ثُمَّ أَدْرَكُ ـ تُعَلَّا ) إِذَا صَلَيْتُمَا فِي رِحَالِكُمَا ثُمَّ أَدْرَكُ ـ تُعَلِيمَا الإِمَامَ ، وَلَمْ يُصَلِّ فَصَلَّينَا مَعَهُ ، فَإِنَّهَا لَكُمَا نَافِلَةٌ ». رَوَاهُ أَحْمَدُ ، وَاللَّفْظُ لَهُ ، وَالتَّوْمُدَى . وَالتَّوْمُدَى .

prayer with the Prophet . When the Messenger of Allâh finished the prayer, he discovered that two men had not prayed with them, so he ordered for them to be brought to him, and they came shaking with fear. The Messenger of Allâh said to them, "What prevented you from praying with us?" They said, "We prayed in our resting places.' The Messenger of Allâh then said to them, "If you pray in your resting places and then come upon an Imâm who has not yet prayed, then pray with him and it will be considered as a voluntary prayer (nâfilah) for you." Related by Ahmad and the wording is his. It was also transmitted by the three Imâms and It was graded as Sahîh by Ibn Hibbân and At-Tirmidhî.

٤٣٠ \_ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّمَا جُعِلَ الإِمَامُ لِيُؤْتَمَّ بِهِ ، فَإِذَا كَبَّرَ فَكَبَّرُوا ، وَلاَ تُكبِّرُوا حَتَّى يُكبِّرَ ، وَإِذَا قَالَ : سَمِعَ اللَّهُ لِمَنْ حَمدَهُ . وَإِذَا رَكَعَ عَ فَارْكَعُوا ، وَلاَ تَرْكَعُوا ، وَلاَ تَسْحُدُوا ، وَلاَ تَسْحُدُوا ، وَلاَ تَسْحُدُوا حَتَّى يَسْحُدَ ، وَإِذَا صَلَّى قَاعِدًا فَصَلُوا قَعُودًا أَحْمَعِينَ ». رَوَاهُ وَإِذَا صَلَّى قَاعِدًا فَصَلُوا قُعُودًا أَحْمَعِينَ ». رَوَاهُ أَبُو دَاوُدَ ، وَهَذَا لَفَظُهُ ، وَأَصْلُهُ فَى الصَّحِيحَيْن .

Abû Hurairah (RAA) narrated that the Messenger of Al-430. lâh 🎉 said, "The Imam is only appointed (to lead the prayer) to be followed. So, when he says the Takbîr (Allâhu Akbar), then say the Takbîr, and do not say the Takbîr until he says (Allâhu Akbar). When he goes into rukû, 'then make  $ruk\hat{u}$  (after him), and do not go into  $ruk\hat{u}$  until he goes into rukû'. When he says "Sami'al Lâhu liman hamidah (Allâh hears those who send praises to Him)," say "Rabbana wa lakal-hamd (O Allâh, our Lord! All praises are for You)." When he goes into sujûd (prostration) make sujûd (after him), and do not go into sujud until he goes into sujud. When he prays standing, pray standing, and when he prays sitting, then all of you should pray sitting." Related by Abû Dawûd and the wording is his. This narration is also related by Al-Bukhârî and Muslim.

٤٣١ ـــ وَعَـــنْ أَبِــي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ رَأَى فِي أَصْحَابِهِ تَأْخُرًا ، فَقَالَ : «تَقَدَّمُوا فَاثْتَمُّوا بِي ، وَلْيَأْتُمَّ بِكُمْ مَنْ بَعْدَكُمْ». رَوَاهُ مُسْلمٌ .

431. Abû Sa'îd Al-Khudrî (RAA) narrated that Allâh's Messenger saw a tendency among some of his companions to pray in the back rows. Thereupon he said to them, "Come forward and follow me (in prayer) and let those behind (in the back rows) follow you (as they will know my actions through your actions even if they cannot see me directly)."148

<sup>148-</sup> This means that those who cannot see or hear the Imâm, for being a few

٣٣٤ ـــ وَعَنْ زَيْدِ بْنِ ثَابِت - رَضِيَ اللَّهُ عَنْهُ - قَالَ : احْتَجَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حُجْرَةً مُخَصَّفَةً ، فَصَلِّى فِيهَا ، فَتَنَبَّعَ إِلَيْهِ رِجَالٌ ، وَجَاءُوا يُصَلُّونَ بِصَلاَتِهِ - الْحَدِيثَ ، وَفِيهِ: «أَفْضَلُ صَلاَةِ الْمَرْءِ فِي بَيْتِهِ إِلاَ الْمَكْتُوبَة». مُتَّفَقٌ عَلَيْهِ .

432. Zaid bin Thâbit (RAA) narrated, 'The Messenger of Allâh made a small room with matting and prayed there (for a few nights during the month of Ramadân). Some of his companions came and started to pray behind him...(the <u>Hadîth...</u>)." This narration has, "the best prayer that a person performs is the one he prays in his house, except for the obligatory one." Agreed upon.

٣٣٣ \_ وعن جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : صَلَّى مُعَاذٌ بأَصْحَابِهِ الْعِشَاءَ ، فَطَوَّلَ عَلَيْهِمْ ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلِّمَ : «أَتْرِيدُ أَنْ تَكُونَ يَا مُعَاذُ فَتَانًا ؟ إِذَا أَمَمْتَ النَّاسَ فَاقْرَأْ بِـ [الشَّمْسِ وَضُحَاهَا}، وَ {سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى}، وَ {اللَّهُ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

433. Jâbir Ibn 'Abdullâh (RAA) narrated, 'Mu'âdh bin Jabal lead some of his companions in the 'Ishâ' prayer, but he made it too lengthy (recited long Sûras). The Prophet then said to him, "Do you want to draw people into fitnah (tribulation, affliction)Mu'âdh? When you lead people in prayer, recite "And by the sun and its brightness" (sûrah ash-Shams no. 91), and "Glorify the name of your Lord" (sûrah al-A'lâ no. 87), and "Read! in the Name of your Lord, Who has created.." (sûrah al-'Alaq no. 96) and "By the night as it spreads" (sûrah al-Lail no. 92). Agreed upon, and the wording is from Muslim.

rows behind, can follow those in front of them, those in the third row follow the ones in the second and so on.

<sup>149-</sup> The rest of this <u>Hadîth</u> is, "he prayed there for a few nights, and so some of his companions came and prayed behind him. When he came to know about it, he stopped coming out (to pray in that room). In the morning, he went out to them and said, "I know what you have been doing, but you should pray in your houses, as the best prayer that a person performs is the one he prays in his house, except for the obligatory one." Related by Al-Bukhârî.

٤٣٤ ــ وَعَنْ عَائِشَةَ - رَضِيُ اللَّهُ عُنْهُا - فِي قَصَّةِ صَلاَةٍ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ بِالسَّاسِ ، وَهُوَ مَرِيضٌ - قَالَتْ : «فَجَاءَ حَتَّى جَلَسَ عَنْ يَسَارِ أَبِي بَكْرٍ ، وَسَــلَّمَ بِالسَّاسِ ، وَهُوَ مَرِيضٌ - قَالَتْ : «فَجَاءَ حَتَّى جَلَسَ عَنْ يَسَارِ أَبِي بَكْرٍ ، فَكَانَ يُصَلَّى بِالنَّاسِ جَالسًا وَأَبُو بَكْرٍ قَائِمًا ، يَقْتَدِي أَبُو بَكْرٍ بِصَلاَةِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَيَقْتَدِي النَّاسُ بِصَلاَةٍ أَبِي بَكْرٍ». مُتَّفَقٌ عَلَيْهِ .

434. 'Â'ishah (RAA) narrated concerning the story when Allâh's Messenger lead the people in prayer when he was sick, she said, 'He came out and sat on the left of Abû Bakr (RAA), and led the people in prayer while he was sitting down and Abû Bakr was standing up. Abû Bakr was following the prayer of the Prophet and people were following the prayer of Abû Bakr." Agreed upon.

٤٣٥ \_\_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «إِذَا أُمَّ أَحَدُكُمُ النَّاسَ فَلْيُخَفَّفْ ، فَإِنَّ فِيهِمُ الصَّغِيرَ وَالْكَبِيرَ وَالضَّعِيفَ وَذَا الْحَاجَةِ ،
 فَإِذَا صَلَّى وَحْدَهُ فَلْيُصَلِّ كَيْفَ شَاءَ». مُتَّفَقٌ عَلَيْهِ .

435. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If any of you leads the people in prayer, he should shorten it (i.e. keep his recital of the Qur'ân brief), for amongst them are the young, the aged, the weak, and the ones who have other needs to attend to (after prayer). If one prays by himself, one may prolong (the prayer) as much as he wishes." Agreed upon.

٤٣٦ \_ وَعَنْ عَمْرُو بْنِ سَلَمَةَ قَالَ : قَالَ أَبِي : حِثْتُكُمْ مِنْ عِنْدِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ حَقْبُ مُ مَنْ عِنْدِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ حَقَّــا ، فَقَالَ : «إِذَا حَضَرَتِ الصَّلاَةُ فَلْيُؤذَّنْ أَحَدُكُمْ ، وَلْيَؤُمَّكُمْ أَكْثَرُ كُمْ فَرُانَا » فَقَدَّمُونِي ، وَأَنَا ابْنُ سِتِّ أَوْ قَرْآنًا ، فَقَدَّمُونِي ، وَأَنَا ابْنُ سِتِّ أَوْ سَبِينَ . رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ .

436. 'Amro bin Salamah (RAA) narrated, 'My father said: I have come to you from the one who is truly the Messenger of Allâh.' The Messenger of Allâh said to them, "When it is time for prayer, then one of you should say the Adhân for pra-

yer, and let the one amongst you who is the most versed in the Qur'ân lead you in the prayer." 'Amro said, 'So, they looked for such a person and found none who was more versed in the Qur'ân than me, therefore they made me their Imâm in prayer and at that time I was only six or seven years old.' Related by Al-Bukhârî, Abû Dawûd and An-Nasâ'î.

٣٧٧ ــ وَعَنِ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «يَؤُمُّ الْقَوْمَ أَقْرَؤُهُمْ لِكَتَابِ اللَّهِ - تَعَالَى - ، فإن كَاثُوا فِي الْقِرَاءَةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فإن كَاثُوا فِي الْقِرَاءَةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فَإِنْ كَاثُوا فِي اللَّهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فَإِنْ كَاثُوا فِي اللَّهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فَإِنْ كَاثُوا فِي اللَّهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً ، فَإِنْ كَاثُوا فِي سَلْطَانِهِ ، سَوّاءً فَأَقْدَمُهُمْ الرَّجُلُ الرَّجُلُ فِي سَلْطَانِهِ ، وَلاَ يَقْعُدُ فِي بَيْتِهِ عَلَى تَكْرِمَتِهِ إِلاَّ بِإِذْنِهِ». رَوَاهُ مُسْلِمٌ .

437. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh said, "The one who should lead the people in prayer (who has the most right) is the one who is most versed in the Book of Allâh. If they are equal in their recital, then the one who is most knowledgeable in the Sunnah. If they are equal in the Sunnah, then it is the one who migrated first. If they are equal in that (i.e. they all migrated at the same time), then the earliest to embrace Islâm —in another narration—the eldest. No man should be an Imâm for another man in prayer if the other holds authority (i.e. in a place where this latter has authority in any capacity over the other), or occupy his place of honor in his house without his permission." Related by Muslim

438. Jâbir (RAA) narrated that the Messenger of Allâh said, "A woman should never lead a man in prayer, neither a desert Arab should lead an emigrant nor an immoral man should lead a pious man." Related by Ibn Mâjah, but with an extremely weak chain of narrators.

٣٩٤ ـــ وَعَنْ أَنْسٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «رُصُّوا صُـــفُوفَكُمْ ، وَقَـــارِبُوا بَيْـــنَهَا ، وَحَاذُوا بِالأَعْنَاقِ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ .

439. Anas (RAA) narrated that the Messenger of Allâh ﷺ said "Line up close together in rows for prayer, and bring your rows near one another and stand neck to neck." Rela-ted by Abû Dawûd and An-Nasâ'î, and Ibn Hibbân graded it as <u>Sahîh</u>.

٤٤٠ ـــ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالُ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «خَــــيْرُ صُفُوفِ الرِّجَالِ أَوَّلُهَا ، وَشَرُّهَا آخِرُهَا ، وَخَيْرُ صُفُوفِ النَّسَاءِ آخِرُهَا ، وَشَرُّهَا أَوَّلُهَا». رَوَاهُ مُسْلَمٌ .

440. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "The best rows for the men are the first rows and the worst rows for them are the last rows. The best rows for the women are the last rows and the worst for them are the front rows." Related by Muslim.

٤٤١ ـــ وَعَنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «صَلَّيْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ اللَّهِ عَلَيْهِ وَسَلَّمَ ذَاتَ لَيْلَة ، فَقُمْتُ عَنْ يَسَارِهِ ، فَأَخَذَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَأَسِي مِنْ وَرَائِي فَجَعَلَنِي عن يَمينه». مُتَّفَقٌ عَلَيْه .

441. Ibn 'Abbâs (RAA) narrated, 'One night I prayed with the Messenger of Allâh ﷺ, and I stood on his left side. He caught my head from behind and drew me to his right side." Agreed upon.

٤٤٢ ـــ وعـــن أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «صَلَّى رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُمْتُ أَنَا وَيَتِيمٌ خَلْفَهُ ، وَأَمُّ سُلَيْمِ خَلْفَنَا». مُتَّفَقٌ عَلَيْهِ ، واللَّفْظُ لِلْبُخَارِيِّ .

442. Anas (RAA) narrated, 'One night an orphan and I prayed behind the Prophet , and Um Sulaim (his mother) was standing behind us (forming a row by herself).' Agreed upon. The wording is from Al-Bukhârî.

٤٤٣ \_ وَعَـــنْ أَبِي بَكْرَةً - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّهُ انْتَهَى إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَهُوَ رَاكِعٌ ، فَرَكَعَ قَبْلَ أَنْ يَصِلَ إِلَى الصَّفِّ ، فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «زَادَكَ اللَّهُ حَرْصًا وَلاَ تَعُدْ». رَوَاهُ البُخَارِيُّ ، وَزَادَ أَبُو دَاوُدَ فِيهِ : فَرَكَعَ دُونَ الصَّفِّ ، وُزَادَ أَبُو دَاوُدَ فِيهِ : فَرَكَعَ دُونَ الصَّفِّ ، ثُمَّ مَشَى إِلَى الصَّفِّ .

443. Abû Bakrah (RAA) narrated that he reached the Prophet in the mosque while he was performing  $ruk\hat{u}'$  (bowing) in prayer, so Abû Bakrah bowed too before he joined the row. He mentioned this to the Prophet and he said to him, "May Allâh increase your love for goodness. But do not repeat that act again (bowing before joining the row)." Related by Al-Bukhârî. Abû Dawûd added to this narration, 'He bowed before he reached the row and then walked (bowing) to the row.'

٤٤٤ \_ وَعَــنْ وَابِصَــةَ بْــنِ مَعْبَد - رَضِيَ اللَّهُ عَنْهُ - «أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَحَدَهُ ، فَأَمَرَهُ أَنْ يُعِيدُ الصَّلاَةَ».
 رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتَّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

444. Wâbisah bin Ma'bad (RAA) narrated that the Messenger of Allâh ﷺ saw a man praying alone behind the row, so he ordered him to repeat the prayer. Related by Ahmad, Abû Dawûd, At-Tirmidhî and it was rendered <u>Sahîh</u> by Ibn <u>Hibbân</u>.

٥٤٤ \_\_ وَلَــهُ عَــنْ طَلْقِ بْنِ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - : «لا صَلاَةَ لمُنْفَرِد خَلْفَ الصَّفَّ». وَزَادَ الطَّبْرَانيُّ في حَديثُ وَابصَةَ : «أَلاَ دَخَلْتَ مَعَهُمْ أَو أُجْتَرَرْتَ رَجُّلاً ؟»

445. Talq bin 'Alî (RAA) narrated that the Messenger of Allâh said, "Nobody should pray alone behind the row." Related by Ibn Hibbân. At-Tabarânî added in the Hadîth of Wâbisah, "Couldn't you have joined them or pulled a man to be with you and form a row?

<sup>150-</sup> One should not join the prayer until he reaches the row.

٤٤٦ ـــ وَعَـــنْ أَبِــي هُرُيْــرُةَ - رُضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ : «إِذَا سَـــمِعْتُمُ الإِقَامَةَ فَامْشُوا إِلَى الصَّلاَةِ وَعَلَيْكُمُ السَّكِينَةُ وَالْوَقَارُ ، وَلاَّ تُسْرِعُوا ، فَمَا أَدْرَكُتُمْ فَصَلُّوا ، وَمَا فَاتَكُمْ فَأَتِمُوا» مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ .

446. Abû Hurairah (RAA) narrated that the Prophet ﷺ said, "When you hear the *Iqâmah*, proceed to the prayer with calmness and dignity and do not rush. Pray what you can (with the congregation) and complete what you miss." Agreed upon and the wording is from Al-Bukhârî.

٤٤٧ ـــ وعــــن أَبِيَّ بْنِ كَعْب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ مَعَ عَلَـــيْهِ وَسَـــلَّمَ : «صَــــلاَّةُ الرَّجُلِ مَعَ الرَّجُلِ أَزْكَى مِنْ صَلاَتِهِ وَحْدَهُ ، وَصَلاَئَهُ مَعَ الرَّجُلِ أَزْكَى مِنْ صَلاَتِهِ وَحْدَهُ ، وَصَلاَئَهُ مَعَ الرَّجُلِ ، وَمَا كَانَ أَكْثَرَ فَهُوَ أَحَبُّ إِلَى اللَّهِ - عَزَّ الرَّجُلِ ، وَمَا كَانَ أَكْثَرَ فَهُوَ أَحَبُّ إِلَى اللَّهِ - عَزَّ وَجَلً -». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

447. Ubay bin Kab (RAA) narrated that the Messenger of Allâh said, "A man's prayer performed along with another man (i.e. in congregation) is better than his prayer on his own, and his prayer with two men is better than his prayer along with (just) another man. But if there are more people it would be more pleasing to Allâh, the Almighty." Related by Abû Dawûd and An-Nasâ'î and Ibn Hibbân graded it as Sahîh.

٤٤٨ ـــ وعن أُمِّ وَرَقَةَ – رَضِيَ اللَّهُ عَنْهَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَهَا أَنْ تَوُمَّ أَهْلَ دَارِهَا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

448. Umm Waraqah (RAA) narrated that the Messenger of Allâh instructed her to lead the women of her household (in the obligatory prayer. Related by Abû Dawûd and Ibn Khuzaimah graded it as <u>Sahîh</u>.

٤٤٩ ـــ وَعَنْ أَنس - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَخْلَفَ ابْنَ أُمِّ مَكْتُوم ، يَؤُمُّ النَّاسَ ، وَهُوَ أَعْمَى». رَوَاهُ أَخْمَدُ ، وَأَبُو دَاوُدَ .

449. Anas (RAA): 'The Messenger of Allâh 🎉 appointed Ibn

Umm Maktûm to lead the people in prayer and he was blind.'
Related by Ahmad and Abû Dawûd.

450. Ibn <u>Hibban narrated a similar narration on the authority</u> of 'Â'ishah (RAA).

١٥٤ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «صَلُّوا عَلَى مَنْ قَالَ لا إِلَهَ إِلاَّ اللَّهُ ، وَصَلُّوا خَلْفَ مَنْ قَالَ لاَ إِلَهَ إِلاَّ اللَّهُ».
 رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ .

451. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Offer the funeral prayer for the one who says (i.e. believes) "There is none worthy of worship but Allâh," and pray behind (take him as your Imâm) the one who says (believes), "There is none worthy of worship but Allâh." Related by Ad-Dâraqutnî with a weak chain of narrators.

٢٥٤ ـــ وَعَنْ عَلَيٌ بْنِ أَبِي طَالِبِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَى أَحَدُكُمْ الصَّلاَةَ وَالإِمَامُ عَلَى حَالٍ فَلْيَصْنَعْ كَمَا يَصْنَعُ الإِمَامُ». رَوَاهُ التِّرْمِذِيُّ بإِسْنَادٍ ضَعِيفٍ .

452. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, "When any of you comes to the prayer and the Imâm is in a certain position (in prayer) he must do what the Imâm is doing." Related by At-Tirmidhî with a weak chain of narrators, (its chain of transmitters is also disconnected).

# بَابُ صَلاَةِ الْمُسَافِرِ وَالْمَرِينِ

#### Chapter XI: The Prayer of a Traveler and the Prayer of the ill.

٤٥٣ ـــ وَعَـــنْ عَائِشَـــةَ - رَضـــيَ اللَّهُ عَنْهَا - قَالَتْ : «أَوَّلُ مَا فُرِضَتِ الصَّلاَةُ رَكْعَتَيْنِ ، فَأُقِرَّتْ صَلاَةُ السَّفَرِ ، وَأَتِمَّتْ صَلاَةُ الْحَضَرِ». مُتَّفَقٌ عَلَيْهِ .

453. 'Â'ishah (RAA) narrated, 'When prayer was first enjoined

by Allâh, the Almighty, it was only two  $rak'\hat{a}t$  (in every prayer, whether in residence or on journeys). The prayer of the traveler was later confirmed as being two  $rak'\hat{a}t$  while two more  $rak'\hat{a}t$  were added to (the original prayer) for the one who is resident (except for the Maghrib and the Fajr prayers).' Agreed upon.

٤٥٤ \_ وَلِلْــبُخَارِيِّ : «تُلــمَّ هَاجَــرَ ، فَفُرِضَـــتْ أَرْبَعًا ، وَأَقِرَّتْ صَلاَةُ السَّفَرِ عَلَى الأَوَل».

454. In the narration of Al-Bukhârî, "Then he emigrated ﷺ, so prayer was then prescribed as four rak'ât, while the prayer of the traveler was left as it was originally prescribed (i.e. two rak'ât)."

٥٥٥ ـــ زَادَ أَحَمْــــــُهُ : «إِلاَّ الْمَغْرِبَ فَإِنَّهَا وِثْرُ النَّهَارِ ، وَإِلاَّ الصُّبْحَ ، فَإِنَّهَا تُطَوَّلُ فيهَا الْقرَاءَةُ».

455. Imâm Ahmad added in his narration, 'except for the Maghrib prayer as it is the witr of the daytime and the dawn prayer due to its lengthy Qur'ânic recital.'

٢٥٦ ــ وَعَـــنْ عَانِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْصُـــرُ فِي السَّفَرِ ، وَيُتِمُّ وَيَصُومُ وَيُفْطِرُ». رَوَاهُ اللَّارَقطْنِيُّ ، وَرُواتُهُ ثَقَاتٌ ، إلاَّ أَنَّهُ مَعْلُــولٌ ، وَالْمَحْفُــوظُ عَـــنْ عَائِشَــةَ مِنْ فِعْلِهَا ، وَقَالَتْ : «إِنَّهُ لاَ يَشُقُّ عَلَيَّ». أَحْرَجَهُ الْبَيْهَقِيُّ .

456. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh used to shorten the prayer in his travels and also used to offer the full prayer. He also used to fast or not fast during his journeys." Related by Imâm Ad-Dâraqutnî. This <u>Hadîth</u> has a defect, as it is known that it is 'Â'ishah (RAA), who used to do this, and she

<sup>151-</sup> The narrators of this <u>Hadîth</u> are trustworthy, but it has a defect (shâdh), as it is only attributed to 'Â'ishah (RAA) and not to the Prophet \$\mathbb{Z}\$, as she is describing what she used to do, and not what the Prophet \$\mathbb{Z}\$ used to do. There is a consensus among the scholars that the Prophet \$\mathbb{Z}\$ never offered more than two rak'ât on a journey, and all the trustworthy narrators agreed on this (see for example 'Sahîh Al-Bukhârî').

said, 'It is not difficult for me (i.e. to pray the full prayer and fast during journeys). Related by Al-Baihaqî.

٤٥٧ \_ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى عَنْهُ - قَالَ : قَالَ رَحُصُهُ كَمَا يَكْرَهُ أَنْ تُوْتَى مَعْصِيتُهُ . رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً ، وَابْنُ حَبَّانَ .
مغصيتُهُ ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً ، وَابْنُ حَبَّانَ .
وفي رِوايَة : «كَمَا يُحِبُ أَنْ تُؤنّى عَزَائِمُهُ».

457. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Allâh, the Almighty likes people to make use of His concessions as much as He dislikes people to commit an act of disobedience to Allâh." Related by Ahmad. Ibn Khuzaimah and Ibn Hibbân graded it as <u>Sahîh</u>. In another narration, "as much as He likes people to observe the duties He has made obligatory."

٤٥٨ \_ وَعَــنْ أَنَــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إذا خَرَجَ مَسِيرَةَ ثَلاَئَةٍ أَمْيَالٍ ، أَوْ فَرَاسِخَ ، صَلَّى رَكْعَتَيْنِ». رَوَاهُ مُسْلِمٌ .

458. Anas (RAA) narrated, 'When the Messenger of Allâh straveled for a distance of three miles or (Farsakhas<sup>152</sup>) he would pray two rak'ât (i.e. shorten the prayer which was originally four rak'ât).' Related by Muslim.

٢٥٩ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَرَجْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ مِــنَ الْمَدِيــنَةِ إِلَـــى مَكُةً ، فَكَانَ يُصَلِّي رَكْعَتْينِ رَكْعَتْيْنِ حَتَّى رَجَعْنَا إِلَى الْمُدِينَةِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ .

459. Anas (RAA) narrated, 'We traveled with the Prophet \*\*
from Madînah to Makkah and he used to pray two rak'ât (for
every prayer) until we returned to Madînah." Agreed upon, and
the wording is from Al-Bukhârî.

<sup>152-</sup> A Farsakh is a Persian measure, which is equal to three miles. The narrator was in doubt whether he said miles or Farsakhs.

٤٦٠ ــ وَعَـــنِ ابْنِ عُبَّاسٍ - رَضِيُ اللَّهُ عُنْهُمَا - قَالَ : ﴿أَقَامُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ تِسْــعَةَ عَشَــرَ يَوْمًا يَقْصُرُ» . وَفِي لَفْظٍ : «بِمَكَّةَ تِسْعَةَ عَشَرَ يَوْمًا». رَوَاهُ الْبُخَارِيُّ ، وَفِي رِوَايَةٍ لأَبِي دَاوُدَ : «سَبْعَ عَشَرَةَ». وَفِي أُخْرَى : «خَمْسَ عَشَرَةَ».

460. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh \$\square\text{s}\$ once stayed for nineteen days shortening the prayer.' In another narration, '(stayed) at Makkah for nineteen days.' Related by Al-Bukhârî. In a narration by Abû Dawûd, 'seventeen', and in another narration, 'fifteen.'

461. Abû Dawûd also related, on the authority of 'Imrân bin Husain (RAA), 'for eighteen days.'

٤٦٢ ـــ وَلَـــهُ عَـــنْ حَابِـــرِ - رَضِيَ اللَّهُ عَنْهُ - : «أَفَامَ بِتَبُوكَ عِشْرِينَ يَوْمًا يَقْصُرُ الصَّلاَةَ». وَرُوَاتُهُ ثِقَاتًا ، إِلاَّ أَنَّهُ اخْتُلِفَ فِي وَصْلِهِ .

462. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh 紫 stayed at Tabûk for twenty days, he shortened the prayer (during his stay).' Related by Abû Dawûd.

٤٦٣ \_ وَعَــنُ أَنَــسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ إِذَا ارْتَحَلَ فِي سَفَرِهِ قَبْلَ أَنْ تَزِيغَ الشَّمْسُ أَخَّرَ الظَّهْرَ إِلَى وَقْتِ الْعَصْرِ ، ثُمَّ لَــزَلَ فَحَمَـعَ بَيْنَهُمَا ، فَإِنْ زَاغَتِ النَّمْسُ قَبْلَ أَنْ يَرْتَحِلَ صَلَّى الظَّهْرَ ثُمَّ رَكِبَ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوايَة لِلْحَاكِمِ فِي الأَرْبَعِينَ بِإِسْنَادِ صَحِيحٍ : «صَلَّى الظُّهْرَ وَالْعَصْرَ وَالْعَصْرَ أَلْعَصْرَ عَمْدُ إِلَّا اللَّهُمْ وَالْعَصْرَ جَمِيعًا ، فَزَالَتِ الشَّمْسُ صَلَّى الظُّهْرَ وَالْعَصْرَ جَمِيعًا ، ثُمَّ ارْتَحَلَ» .

463. Anas (RAA) narrated, Whenever the Messenger of Allâh started on a journey before the sun had passed its meridian (before noon), he would delay the <u>Dh</u>uhr prayer till the time of Asr and then combine them together, and if the sun declined (passed the meridian) before he traveled, he used to pray the <u>Dh</u>uhr prayer and then ride (for the journey).' Agreed upon. In a narra-

tion by Al-Hakim with a sound chain of narrators, 'He prayed <u>Dhuhr</u> and 'Asr (combined) and then rode (for his journey).' Abû Nu'aim related, 'Whenever he was on a journey, and the sun had declined, he would pray <u>Dhuhr</u> and 'Asr combined and then proceed on his journey.'

٤٦٤ ـــ وَعَـــنْ مُعَاذِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «خَرَحْنَا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ فِـــي غَزْوَة تُبُوكَ ، فَكَانَ يُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعًا ، وَالْمَغْرِبَ وَالْعِشَاءَ جَمِيعًا». رَوَاهُ مُسْلَمٌ .

464. Mu'âdh (RAA) narrated, 'We set out with the Prophet so the expedition of Tabûk, and he combined <u>Dhuhr</u> and 'Asr together, and combined the <u>Maghrib</u> and <u>Ishâ</u>' prayers.' Related by Muslim.

٤٦٥ ـــ وَعَـــنِ ابْنِ عَبَّاسِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «لاَ تَقْصُرُوا الصَّلاَةَ فِي أَقَلَّ مِنْ أَرْبَعَةِ بُرُد ، مِنْ مَكَّةَ إِلَى عُسْفَانَ». رَوَاهُ اللَّدَارَقُطُنِيُّ بِإِسْنَادٍ ضَعِيفٍ ، وَالصَّحِيحُ أَنَّهُ مَوْقُوفٌ . كَذَا أَخْرَجَهُ ابْنُ خُزَيْمَةَ .

465. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh said, 
"Do not shorten the prayer (while traveling) for a distance 
less than four *Buruds* (each *Burd* equals 16 *Farsakh*), from 
Makkah to 'Usafân.' Related by Ad-Dâraqutnî, but its chain of 
narrators has 'Abdul Wahâb bin Mujâhid who was accused of 
lying in <u>Hadîth</u>, by Imâm Ath-Thawry.

٤٦٦ — وَعَنْ حَابِر - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «خَـــيْرُ أُمِّتِي اللَّذِينَ إِذَا أَسَاءُوا اسْتَغْفَرُوا ، وَإِذَا سَافَرُوا قَصَرُوا وَأَفْطَرُوا». أَحْـسرَجَهُ الطّبرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ ضَعِيفٍ ، وَهُوَ فِي مُرْسَلِ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْدَ الْبَيْهَقِيِّ مُحْتَصَرًا .

466. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "The best ones in my nation are those who seek Allâh's forgiveness when they do wrong, and when on a journey they shorten the prayer and break their fast." Related by At-Tabarânî in his 'Awsat,' with a weak chain of narrators.

٤٦٧ ـــ وُعَــــنْ عِمْـــرَانَ بْنِ خُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَتْ بِي بَوَاسِيرُ فَسَـــأَلْتُ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الصَّلاَةِ ، فَقَالَ : «صَلَّ قَائِمًا ، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِدًا ، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ». رَوَاهُ الْبُخَارِيُّ .

467. Imrân bin <u>Husain</u> (RAA) narrated, 'I had hemorrhoids, so I asked the Prophet <u>\*\*</u> about the prayer and he said, "Pray while standing and if you cannot do so, pray while sitting, and if you can not do that, then pray while lying on your side." Related by Al-Bukhârî.

٤٦٨ ... وعـــن حَابِــر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : عَادَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَرِيضًا فَرَآهُ يُصَلِّي عَلَى وِسَادَة فَرَمَى بِهَا ، وَقَالَ : «صَلَّ عَلَى الأَرْضِ إِنِ اسْتَطَعْتَ ، وَإِلاَّ فَـــأَوْمٍ إِيمَاءٌ ، وَاحْعَلْ سُخُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ ، وَصَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ .

468. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh is visited a sick person and found him praying while sitting on a cushion. The Prophet pushed it aside and said to him: "Pray while sitting on the ground if you can, and if you can not, then pray by nodding your head, and make a lower nodding for prostration than that for bowing (rukû')." Related by Al-Baihaqî.

٤٦٩ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «رَأَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي مُتَرَبِّعًا». رَوَاهُ النَّسَانِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

469. 'Â'ishah (RAA) narrated, 'I saw the Messenger of Allâh praying while he was sitting cross-legged.' Related by An-Nasâ'î, and al-Hâkim graded it as <u>Sahîh</u>.

### بَسابُ صَسلاَة الْجُمُعَسة

#### Chapter XII: The Friday (Jum'ah) Prayer

٤٧٠ ــ عَــنْ عَبْدِ اللّهِ بْنِ عُمَرَ ، وَأَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُمْ - ، أَنَّهُمَا سَمِعَا رَسُــولَ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ يَقُولُ - عَلَى أَعْوَادِ مِنْبَرِهِ - : «لَيَنْتَهِينَ أَقْوَامٌ عَنْ وَدُعِهِــمْ اللّهُ عَلَى قُلُوبِهِمْ ، ثُمَّ لَيَكُونُنَّ مِنَ الْغَافِلِينَ».
رَوَاهُ مُسْلِمٌ .

470. 'Abdullâh Ibn 'Umar and Abû Hurairah (RAA) narrated that they heard the Messenger of Allâh \$\mathscr{R}\$ say, while standing on his pulpit, "Those who are not attending the Jum'ah (Friday) prayer should stop doing so, otherwise, Allâh the Exalted, will seal their hearts and they will be reckoned among the heedless." Related by Muslim.

٤٧١ ـــ وَعَنْ سَلَمَةَ بْنِ الأَكْوَعِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُصَلِّي مَعَ رَسُولِ اللَّهِ عَنْهُ - قَالَ : «كُنَّا نُصَلِّي مَعَ رَسُولِ اللَّهِ عَنْهُ عَسْسَلًى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ الْجُمُعَةِ ، ثُمَّ نَنْصَرِفُ وَلَيْسَ لِلْحِيطَانِ ظِلُّ يُسْتَظَلُّ بِهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّهْظُ لِلْبُخَارِيِّ .

وَفِي لَفْظٍ لِمُسْلِمٍ : «كُنَّا نُحَمِّعُ مَعَهُ إِذَا زَالَتِ الشَّمْسُ ، ثُمَّ نَرْجِعُ ، نَتَنَبُّعُ الْفَيْءَ».

471. Salamah bin Al-Akwa' (RAA) narrated, 'We used to offer the Jum'ah prayer with the Prophet , and by the time we returned from the prayer, the walls would have no shade (enough to shelter us from the heat).' Agreed upon. The wording is from Al-Bukhārî.

In the version of Muslim, 'We would pray the Friday prayer with the Prophet when the sun had passed the meridian, and when we returned (from prayer) we would be following the shade (i.e.

<sup>153-</sup> What he means is that the shade of the walls is not enough to sit in for protection from the heat of the sun, not that the walls had no shade at all. This means that the Prophet & used to finish the Jum'ah prayer at an early time, not long after the sun had passed the meridian.

searching for any shade- that we could walk in- to protect ourselves from the heat of the sun).'

٤٧٢ ـــ وَعَـــنْ سَهْلِ بْنِ سَعْد - رَضِيَ اللّهُ تَعَالَى عَنْهُ - قَالَ : «مَا كُنَّا نَقِيلُ وَلاَ نَتَغَدَّى إِلاَّ بَعْدَ الْحُمُعَةِ». مُتَّفَقٌ عُلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ . وَفِي رِوَايَةٍ : «فِي عَهْدِ رَسُولِ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ ».

472. Sahl bin Sa'd (RAA) narrated, 'We never had an afternoon nap or lunch till after offering the Jum'ah prayer.' Agreed upon and the wording is from Muslim. In another narration, 'In the lifetime of the Prophet \$\mathbb{Z}.'

٤٧٣ ـــ وَعَـــنْ جَابِر - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَـــانَ يَخْطُبُ قَائِمًا ، فَجَاءَتْ عِيرٌ مِنَ الشَّامِ ، فَانْفَتَلَ النَّاسُ إِلَيْهَا ، حَتَّى لَمْ يَبْقَ إِلاَّ اثْنَا عَشَرَ رَجُلاً». رَوَاهُ مُسْلِمٌ .

473. Jâbir (RAA) narrated, 'The Messenger of Allâh sa was standing (on his pulpit) delivering the Khutbah (sermon) on Friday, when a caravan arrived from Syria. The people slipped out (from the mosque) towards the caravan, until only twelve men were left (with the Prophet sto pray Jum'ah).'154 Related by Muslim.

٤٧٤ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَـــنْ أَدْرَكَ رَكْعَةً مِنْ صَلاَةِ الْحُمُعَةِ وَغَيْرِهَا قَلْيُضِفْ إِلَيْهَا أَخْرَى ، وَقَلْ وَسَــلَّمَ : «مَـــنْ أَدْرَكَ رَكْعَةً مِنْ صَلاَةِ الْحُمُعَةِ وَغَيْرِهَا قَلْيُضِفْ إِلَيْهَا أَخْرَى ، وَقَلْ تَهُ ، وَإِسْنَادُهُ تَمَّــت صَــلاَتُهُ». رَوَاهُ النَّسَائِيُّ ، وَابْنُ مَاجَة ، وَالدَّارَقُطْنِيُّ ، وَاللَّافُظُ لَهُ ، وَإِسْنَادُهُ صَحيحٌ ، لَكَنْ قَوَّى أَبُو حَاتِم إِرْسَالَةُ .

474. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh said, "Whoever catches only one rak'ah of the Jum'ah prayer, or any other prayer, he should then add to it another

<sup>154-</sup> It was on this occasion that this verse with regard to Jum'ah was revealed." And when they see merchandise or some amusement they disperse headlong to it, and leave you standing."

one,<sup>155</sup>and his prayer will be complete." Related by An-Nasâ'î, Ibn Mâjah, Ad-Dâraqu<u>t</u>nî and the wording is his, with a sound chain of narrators.

8٧٥ \_\_ وَعَنْ جَابِرِ بْنِ سَمُرَةً - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ كَانَ يَخْطُبُ قَائِمًا ، فَمَنْ نَبَأَكَ أَنَّهُ كَانَ يَخْطُبُ قَائِمًا ، فَمَنْ نَبَأَكَ أَنَّهُ كَانَ يَخْطُبُ جَالسًا فَقَدْ كَذَبَ». أَخْرَجَهُ مُسْلمٌ .

475. Jâbir bin Samurah (RAA) narrated, 'The Messenger of Allâh se would deliver the Khutbah (sermon) on Friday while standing, and then would sit, and then he would stand and speak again. So, whoever says that he gave the Khutbah (sermon) while sitting, he would be lying.' Related by Muslim.

٤٧٦ \_ وَعَــنْ حَابِرِ بْنِ عَيْدِ اللّهِ - رَضِيَ اللّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللّهِ صَلّى اللّه عَلَيْهِ وَسَلّم إِذَا خَطَبَ ؟ إحْمَرَّتْ عَيْنَاهُ ، وَعَلاَ صَوْثُهُ ، وَاشْتَدَّ غَضَبُهُ ، حَتَّى كَأَنْــهُ مُــنْذِرُ جَــيْشِ يَقُولُ : صَبَّحَكُمْ وَمَسَّاكُمْ ، وَيَقُولُ : «أَمَّا بَعْدُ ، فَإِنّ خَيْرَ الْهَدْيِ هَدْيُ مُحَمَّد ، وَشَرَّ الأُمُورِ مُحْدَثَانُهَا ، وَكُلُ الْحَدِيبَـــث كَتَابُ اللّهِ ، وَخَيْرَ الْهَدْيِ هَدْيُ مُحَمَّد ، وَشَرَّ الأُمُورِ مُحْدَثَانُهَا ، وَكُلُ بِدْعَة ضَلاَلَةٍ». رَوَاهُ مُسْلِمٌ ، وَفِي رَوَايَة لَهُ : كَانَتْ خُطْبَةُ النّبِيِّ ضَلَى اللّهُ عَلَيْهِ وَسَلّم بِدْعَة ضَلاَلَةٍ عَلَى اللّهُ عَلَيْهِ وَسَلّم يَسُومُ الْخُمُعَة : يَحْمَدُ اللّه وَيُشْنِي عَلَيْه ، ثُمَّ يَقُولُ عَلَى أَثْرِ ذَلِكَ . وَقَدْ عَلاَ صَوْتُهُ . وَفِي رَوَايَة لَهُ : ﴿ كَانَتْ خُطْبَةُ النّبِيِّ ضَلًى اللّهُ عَلَيْهِ وَسَلّم يَسُومُ الْحُمُونِ مُ اللّهُ عَلَيْهِ مَا لَهُ مِنْ مُضِلٍ } [الزُمَر : ٣٧] ، {مَنْ يُضْلِلِ اللّهُ فَمَا لَهُ مِنْ مُضِلٍ } [الأعْرَاف : ١٨٦] ، ولِلنّسَائِيِّ : «وَكُلُّ ضَلاَلَة فِي النّارِ».

476. Jâbir bin 'Abdullâh (RAA) narrated, 'When Allâh's Messenger & delivered the *Khutbah* (sermon), his eyes would become red, his voice would (gradually) rise, and he would become filled with fervor, like one who is giving a warning to an army (against an expected enemy) saying: 156 'The enemy has made a morning at-

<sup>155-</sup> Or more rah'ât -if not in the Jum'ah - to complete the number of rah'ât, which is left, whether one or more.

<sup>156-</sup> Who is meant here is the one giving the warning to the army, not that the Prophet si is saying this.

tack on you (or an evening attack).' The Messenger of Allâh then says, "The best of speech (ever said) are those of the Book of Allâh, and the best of guidance is that given by Muhammad, and the most evil of matters are those which are innovated, and each Bid'ah (an innovation in religion, whether in worship or fundamentals) is considered as a form of misguidance." Related by Muslim. In another narration by Muslim, Jâbir said, "The Friday Khutbah (sermon) of the Messenger of Allâh would be that he praises Allâh, the Exalted and then would say while his voice is rising.' In another narration, (he would say), "Whomever Allâh guides no one can lead him astray, and whomever Allâh leaves astray, will have no one to guide him."

In a narration by An-Nasâ'î, "and every misguidance (i.e. Bid-'ah) is in Hell."

٤٧٧ ـــ وَعَـــنْ عَمَّارِ بْنِ يَاسِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهِ عَنْهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ طُولَ صَلاَةِ الرَّجُلِ ، وَقِصَرَ خُطْبَتِهِ مَئِنَّةٌ مِنْ فِقْهِهِ». رَوَاهُ مُسْلِمٌ .

477. 'Ammâr bin Yâsir (RAA) narrated, 'I heard the Messenger of Allâh say, "Prolonging the prayer and shortening one's Khutbah is a sign of one's comprehension of his religion." Related by Muslim.

٤٧٨ ــ وَعَــنْ أُمِّ هِشَــامٍ بنْــتِ حَارِثَةَ بْنِ النَّعْمَانِ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ:
 «مَــا أَخَذْتُ {قَ وَالْقُرْآنِ الْمُجيد} [ق : ١] إلاَّ عَنْ لِسَانِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْرَأُهَا كُلُّ جُمُعَةٍ عَلَى الْمِنْبَرِ إِذَا خَطَبَ النَّاسَ». رَوَاهُ مُسْلِمٌ.

478. Umm Hishâm bint Hârithah bin an-Nu'mân (RAA) narrated, 'I learnt sûrah "Qâf. By the Glorious Qur'ân" (no. 50:1), from the Prophet for he recited it upon the pulpit every Friday, when he addressed the people in the Friday Khutbah.' Related by Muslim.

<sup>157-</sup> Innovated in religion and not innovated in worldly matters if they do not contradict the fundamentals of Islâm.

٤٧٩ \_ وَعَــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَكُلَّمَ يَوْمَ الْحُمُعَةِ وَالإِمَامُ يَخْطُبُ فَهُوَ كَمَثَلِ الْحِمَارِ يَحْمِلُ اللهِ عَلَيْهِ وَسَلَّمَ : هُوَ كَمَثَلِ الْحِمَارِ يَحْمِلُ أَسْفَارًا ، وَالَّذِي يَقُولُ لَهُ : أَنْصِتْ ، لَيْسَتْ لَهُ حُمُعَةٌ ». رَوَاهُ أَحْمَد بِإِسْنَادٍ لاَ بَأْسَ به ، وَهُوَ يُفَسِّرُ حَدِيثَ أَبِي هريرة فِي الصَّحِيحَيْنِ مَرْفُوعًا .

479. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said: "Whoever speaks in the Jum'ah while the Imâm is delivering the Khutbah is like a donkey who is carrying books, and for he who tells him to be quiet, there will be no (reward) for his Jum'ah prayer." Related by Ahmad with an acceptable chain of narrators. This Hadîth explains the following Hadîth narrated by Abû Hurairah.

480. Abû Hurairah (RAA) narrated, "If during the Jum'ah prayer while the Imâm is delivering the Khutbah, you tell your companion to be quiet, then you have spoken needlessly (spoken evil talk or vain talk)." Agreed upon.

٤٨١ ـــ وَعَــــنْ جَابِرِ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : دَخَلَ رِجلِ يَوْمَ الْجُمُعَةِ ، وَالنَّبِيُّ صَــــلَّى اللَّـــهُ عَلَيْهِ وَسَّلَّمَ يَخْطُبُ . فَقَالَ :«صَلَّبْتَ ؟» قَالَ : لاَ . قَالَ : «قُمْ فَصَلً رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ .

481. Jâbir Ibn 'Abdullâh (RAA) narrated, 'A man entered the mosque while the Prophet said was delivering the Khutbah on Friday. The Prophet said to him, "Have you prayed?" The man replied in the negative. The Prophet said, "Get up and pray two rah'ât." Agreed upon.

٤٨٢ ـــ وَعَـــنِ ابْنِ عَبَّاسِ – رَضِيَ اللَّهُ عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْرَأُ فِي صَلاَةِ الْجُمُعَةِ سُورَةَ الْجُمُعَةِ ، وَالْمُنَافِقِينَ». رَوَاهُ مُسْلِمٌ .

482. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh used to recite in the Jum'ah prayer, Sûrah al-Jum'ah (no. 62) and Sûrah al-Munâfiqûn (no. 63).' Related by Muslim.

٤٨٣ ـــ وَلَهُ عَنِ النَّعْمَانِ بْنِ بَشِيرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ يَقْرَأُ فِي الْعِيدَيْنِ وَفِـــي الْجُمُعَةِ: بـــِ {سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى} [الأَعْلَى : ١] ، وَ {هَلْ أَتَاكَ حَدِيثُ الغَاشِيَةِ} [الغَاشِيَة : ١]

483. Nu'mân bin Al-Bashîr (RAA) narrated, 'The Messenger of Allâh sused to recite in the two 'ids and the Jum'ah prayer, sûrah al-A'lâ (no. 87), "Glorify the Name of Your Lord", and sûrah al-Ghâshiyah (no. 88), "Has there come to you the narration of the overwhelming (the Day of Resurrection).' Related by Muslim.

٤٨٤ ـــ وَعَـــنْ زَيْد بْنِ أَرْقَمَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : صَلَّى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْعِيدَ ، ثُمَّ رَخَّصَ فِي الْجُمْعَةِ ، ثُمَّ قَالَ : «مَنْ شَاءَ أَنْ يُصَلِّيَ فَلْيُصَلِّ».
 رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً .

484. Zaid bin Arqam (RAA) narrated, "The Prophet prayed the *îd* prayer and then gave an exemption concerning the *Jum'ah* prayer, and said, "Whoever wishes to pray it may pray it (i.e. the *Jum'ah*)." Related by the five Imâms except for At-Tirmidhî, and Ibn Khuzaimah graded it as <u>Sahîh</u>.

٥٨٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا صَلَّى أَحَدُكُمُ الْحُمُعَةَ فَلْيُصَلِّ بَعْدَهَا أَرْبَعًا». رَوَاهُ مُسْلِمٌ .

485. Abû Hurairah (RAA) narrated that the Messenger of Allâh said: "Whoever prays the Jum'ah, should pray four rak'ât after it." Related by Muslim.

٤٨٦ ـــ وَعَـــنِ السَّـــائِبِ بْنِ يَزِيدَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ لَهُ : إِذَا صَلَيْتَ الْحُمُعَةَ فَلاَ تَصِلْهَا بِصَلاَةٍ ، حَتَّى تَتَكَلَّمَ أَوْ تَخْرُجَ ، فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمْرَنَا بِذَلِكَ : أَنْ لاَ نصِلَ صَلاَةً بِصَلاَةٍ حَتَّى نَتَكَلَّمَ أَوْ نَخْرُجَ». رَوَاهُ مُسئلةً .

486. As-Sâ'ib bin Yazîd (RAA) narrated that 'Mu'âwiyah (RAA) said to him, 'Whenever you have prayed the Jum'ah, you

should not follow it (immediately) with another prayer, unless you have talked or gone out (of the mosque), as the Messenger of Allâh has ordered us to do so, and that we do not follow it with another prayer unless we talk or go out.' Related by Muslim.

٤٨٧ ـــ وَعَـــنْ أَبِـــي هُرَيْـــرَةَ قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلّمَ : «مَنِ اغْتَسَــلَ ، ثُمَّ أَنْصَتَ ، حَتَّى يَفُرُ غَ الإِمَامُ مِنْ خُطْبَتِهِ ، ثُمَّ أَنْصَتَ ، حَتَّى يَفُرُ غَ الإِمَامُ مِنْ خُطْبَتِهِ ، ثُمَّ يُصَلِّي مَعَهُ : غُفِرَ لَهُ مَا بَيْنَهُ وَبَيْنَ الْجُمُعَةِ الأُحْرَى ، وَفَضَلُ ثَلاَئَةٍ أَيَّامٍ». رَوَاهُ مُسْلِمٌ .

487. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever performs Ghusl (full ritual washing), then comes to the Jum'ah Prayer, and prays as many (rak-'ât) as much as(Allâh has) written for him, and then remains silent and listens until the Imâm finishes his Khutbah, and then prays with him, his sins - between this present Friday and the next one- would be forgiven, and even(sins of) three days more." Related by Muslim.

٤٨٨ — وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، ذَكَرَ يَوْمَ الْحُمُعَـة فَقَــالَ : «فـــيه سَاعَةٌ لا يُوَافِقُهَا عَبْدٌ مُسْلِمٌ وَهُوَ قَائِمٌ يُصَلِّي ، يَسْأَلُ اللَّهَ - عَزَّ وَجَلً - شَيْئًا إِلاَّ أَعْطَاهُ إِيَّاهُ» ، وَأَشَارَ بِيَدِهِ يُقَلَّلُهَا . مُتَّفَقٌ عَلَيْهِ .
 وَفِي رِوَايَةٍ لِمُسْلِمٍ : «وَهِيَ سَاعَةٌ خَفِيفَةٌ».

488. Abû Hurairah (RAA) narrated that the Messenger of Allâh said mentioning the (virtues of) Friday, "On Friday, there is an 'hour,' in which no Muslim, who matches (this hour) praying and asking Allâh for something, except that Allâh will grant him whatever he asked for." The Messenger of Allâh pointed with his hand indicating how short that hour is.' Agreed upon. In the version of Muslim, "It is a short period of time."

٨٨٩ ـــ وَعَـــنْ أَبِي بُرْدَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «هِيَ مَا بَيْنَ أَنْ يَخْلِسَ الإِمَامُ إِلَى أَنْ تُقْضَى الصَّلاّةُ».

٩٩، ، ٤٩١ ـــ وَفِـــي حَديثِ عَبْدِ اللَّهِ بْنِ سَلاَمٍ عِنْدَ ابْنِ مَاجَهُ ، وَعَنْ حَابِرٍ عِنْدَ أَبِي دَاوُدَ ، وَالنَّسَائِيِّ : «أَنَّهَا مَا بَيْنَ صَلاَةٍ الْعَصْرِ وَغُرُوبِ الشَّمْسِ». وَقَدْ اخْتُلِفَ فِيهَا عَلَى أَكْثَرَ مِنْ أَرْبَعِينَ قَوْلاً أَمْلَيْتُهَا فِي شَرْحِ البُخَارِيُّ .

490, 491. Ibn Mâjah narrated on the authority of 'Abdullâh bin Salam, while Imâms Abû Dawûd and An-Nasâ'î narrated on the authority of Jâbir bin 'Abdullâh: "It is between the time of al 'Asr prayer and sunset." Scholars differed as to the exact time of this hour, up to almost forty different sayings. I mentioned all of them in 'Fath-ul-Bârî' (the interpretation of 'Sahîh al-Bukhârî''. 160

٤٩٢ ـــ وَعَـــنْ حَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَضَتِ السُّنَّةُ أَنَّ فِي كُلِّ أَرْبَعِينَ فَصَاعِدًا حُمَعَةِ». رَوَاهُ الدَّارَقُطُنِيُّ بِإِسْنَادِ ضَعِيفٍ .

492. Jâbir bin 'Abdullâh (RAA) narrated, 'It is from the Sunnah of the Prophet state the Jum'ah prayer can only be held, when forty people or more congregate for it.' Related by Ad-Dâr-

<sup>158-</sup> He is 'Amir bin 'Abdullâh bin Qais and his father is Abû Mûsâ al-Ash'arî (the famous companion of the Prophet %).

<sup>159-</sup> Scholars have different opinions as to the time of this hour, but most say that it is probably after 'Asr, i.e. towards the end of the day and not during the Friday prayer.

<sup>160.</sup> This final comment is by Imâm ibn <u>H</u>ajar, the author of 'Bulûgh al-Marâm.'

<sup>161-</sup> Imâm aş-Şan'ânî in 'Subul as-Salâm,' says that the Jum'ah could be held with at least three people, as they form a congregation (and this is the opinion of the Hanafî), and some scholars are of the opinion that two could also hold a Jamâ'ah, There is no evidence from the Hadîth of the

aqutnî with a weak chain of narrators. 162

٤٩٣ ـــ وَعَـــنْ سَــــمُرَةَ بْنِ جُنْدَب : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَسْتَغْفِرُ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ فِي كُلِّ جُمُعَةٍ». رَوَاهُ البَزَّارُ بِإِسْنَادٍ لَيْنٍ .

493. Samurah bin Jundub (RAA) narrated, 'The Messenger of Allâh used to seek Allâh's forgiveness for the believers (males and females) every Friday (in the Khutbah of Jum'ah).' Related by Al-Bazzâr with a weak chain of narrators.

٤٩٤ ـــ وَعَـــنْ حَابِرِ بْنِ سَمُرَةَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ فِي الْخُطْبَةِ يَقْرَأُ آيَاتٍ مِنَ الْقُرْآنِ ، يُذَكِّرُ النَّاسَ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلُهُ فِي مُسْلِمٍ .

494. Jâbir bin Saumrah (RAA) narrated that the Messenger of Allâh swould recite some verses from the Qur'ân during the Friday Khutbah, and would remind people (about Allâh).' Related by Abû Dawûd.

893 \_\_ وَعَنْ طَارِقِ بْنِ شَهَابٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْجُمُعَةُ حَـــةٌ وَاجـــبٌ عَلَى كُلِّ مُسْلِمٍ فِي جَمَاعَة إِلاَّ أَرْبَعَةً : مَمْلُوكٌ ، وَامْرَأَةٌ ، وَصَبِيٌ ، وَمَرِيضٌ». رَوَاهُ أَبُو دَاوُدَ ، وَقَالٌ : لَمْ يَسْمَعُ طَارِقٌ مِنَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَخْرَجَهُ الْحَاكُمُ مَنْ رَوَايَة طَارِق الْمَذْكُورِ عَنْ أَبِي مُوسَى .

495. Târiq bin Shihâb (RAA) narrated that the Messenger of Allâh said, "Al-Jum'ah is a compulsory duty upon every Muslim in a community (of Muslims), save four: a slave, a woman, a child, or a person who is ill."Related by Abû Dawûd who commented that Târiq did not hear the <u>Hadîth</u> from the Prophet . Al-Hâkim related the <u>Hadîth</u> on the authority of Târiq who transmitted it on the authority of Abû Musâ.

Prophet \$\mathbb{B}\$ stating an exact number as a condition for the \$Jum'ah\$ to be held, and that is why most scholars say that any number which is suitable for a \$Jam\hat{a}'ah\$ prayer is valid for the \$Jum'ah\$.

<sup>162-</sup> The chain of narrators has 'Abdul 'Azîz bin 'Abdur Rahmân who is considered a liar, and a fabricator of Hadîth.

٤٩٦ ــ وُعَنِ ابْنِ عُمَرُ - رُضِيَ اللَّهُ عُنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَيْسَ عَلَى مُسَافِرٍ جُمُعَةٌ». رَوَاهُ الطَّبَرَانِيُّ بِإِسْنَادِ ضَعِيفٍ .

496. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Al-Jum'ah prayer is not obligatory for the traveler." Related by At-Tabarânî with a weak chain of narrators.

٤٩٧ ـــ وَعَـــنْ عَــبْدِ اللَّهِ بْنِ مَسْعُودِ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «كَانَ رَسُولُ اللَّهِ صَــــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ إِذَا اسْتَوَى عَلَى الْمِنْبَرِ اسْتَقْبَلْنَاهُ بِوُجُوهِنَا». رَوَاهُ التَّرْمِذِيُّ بإسْنَادِ ضَعِيفِ .

497. 'Abdullâh Ibn Mas'ûd (RAA) narrated, "When the Messenger of Allâh immounted the pulpit, he would turn his face to us.' Related by At-Tirmidhî with a weak chain of narrators.

498. The above <u>Hadîth</u> is supported by another narration on the authority of Al-Barâ bin 'Âzib, related by Ibn Khuzaimah.

499. Al-Hâkam bin <u>H</u>azn (RAA) narrated, We attended the Jum'ah with the Prophet sand he stood leaning on a stick or on a bow.'163 Related by Abû Dawûd.

<sup>163-</sup> Imâm Ibnul Qaiyim says that the Prophet 3 used to lean on a stick or a bow before the pulpit was made for him, and none of the Companions mentioned that he leaned on anything after the pulpit was made.

## بَابُ صَلاَة الْخَوْف

#### Chapter XIII: Prayer During Times of Fear or Danger (Salâtul Khauf)

٥٠٠ عـ عـ ن صالح بن خوات - رضي الله عنه - عمن صلى مع النبي صلى الله عليه عليه وسلم يوم ذات الرّقاع صلاًة الْخوف : «أَنَّ طَائِفةً مِنْ أَصَحَابِهِ صلى الله عَلَيْهِ وَسَلَمَ يَوْمَ ذَاتِ الرِّقَاعِ صَلاَّة الْخَوْف : «أَنَّ طَائِفةً مِنْ أَصَحَابِهِ صلى الله عَلَيْهِ وَسَلَمَ صَفَّتْ مَعَهُ رَكْعَةً ، ثُمَّ ثَبَتَ قَائِمًا وَأَتَمُّوا لأَنْفُسِهِمْ ، ثُمَّ الْصَرَفُوا فَصَفْوا وِجَاهَ الْعَدُو ، وَجَاءَتِ الْطَائِفَةُ الأُخْرَى، فَصَلَى بِهِمْ الرَّكْعَةَ الله عُرَى، فَصَلَى بِهِمْ الرَّكْعَةَ الله عَلَيْهِ مَعْدَد مَا الله عَلَيْهِ عَلَيْهِ مَا الله عَلَيْهِ مَا الله عَلَيْهِ مَا الله عَلَيْهِ عَلَيْهِ مَا الْمَعْرِفَةِ لا إن مَنْدَهُ ، عَنْ صَالِحِ بْنِ حَوَّاتٍ عِن أَبِيهِ .

500. Salih bin Khawwat (RAA) on the authority of those who prayed Salātul Khauf (prayer during time of danger) with the Prophet at the battle of Dhât ar-Riqâ', 'A group lined up with the Prophet -and prayed along with him-while another group faced the enemy. He prayed one rak'ah with the group that was with him and remained standing while they finished the prayer (by praying another rak'ah) and then left and faced the enemy. The second group came and prayed the remaining rak'ah with him, then he remained sitting until they had completed their prayers themselves, after which he led them in making the Taslîm.'Agreed upon, and the wording is from Muslim.

٥٠١ \_ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «غَزَوْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، قَبَلَ نَحْد ، فَوَازَيْنَا الْعَدُوَّ فَصَافَفْنَاهُمْ ، فَقَامَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَصَلَّى بِنَا ، فَقَامَتْ طَائِفَةٌ مَعَهُ ، وَأَقْبَلَتْ طَائِفَةٌ عَلَى الْعَدُوِّ ، وَرَكَعَ عَلَيهِ وَسَلَّمَ ، فَصَلَّى بِنَا ، فَقَامَتْ طَائِفَةٌ مَعَهُ ، وَأَقْبَلَتْ طَائِفَةٌ عَلَى الْعَدُو ، وَرَكَعَ بِمَ لَهُ مُ تُصَلِّ ، فَقَامَتْ الْصَائِفَةِ اللَّي لَمْ تُصل ، فَجَاءُوا ، فَسَدَنْ مَعَهُ ، وَسَجَدَ سَجْدَتَيْنِ ، ثُمَّ سَلَّمَ ، فَقَامَ كُلُّ وَاحِدٍ مِنْهُمْ ، فَرَكَعَ لَنَهْ مِ رَكْعَةً ، وَسَجَدَ سَجْدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

501. Ibn 'Umar (RAA), narrated, 'I took part in a battle with the Prophet , in Najd. We faced the enemy and arranged ourse-

lves in rows. Then the Messenger of Allâh stood up to lead the prayer. A group lined up to pray with him while the other faced the enemy. The Prophet bowed in  $ruk\hat{u}$  and the first group bowed with him and then he performed two prostrations. The first group then left (after praying one  $rak\hat{a}h$ ) and took place of those who had not yet prayed. The second group came to pray with the Prophet and he prayed one  $rak\hat{a}h$  and performed two prostrations and then said the  $Tasl\hat{a}m$ . Then the latter group stood up and prayed another  $rak\hat{a}h$  and performed two prostrations on their own.' Agreed upon, and the wording is from Al-Bukhârî. 164

٧٠ - وعَــنْ حَابِر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ عَلَــيْهِ وَسَــلَّمَ صَلاَةً الْحَوْفِ فَصَفَفْنَا صَفَيْنِ صَفَّ خَلْفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَالْعَدُو بَيْنَنا وَبَيْنَ الْقِبْلَة ، فَكَبَّرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَكَبَّرْنَا جَمِيعًا ، ثُمَّ الْحَدَرَ لَسُهُ مِنَ الرُّكُوعِ وَرَفَعْنَا جَمِيعًا ، ثُمَّ انْحَدَرَ بِالسَّـحُودِ وَالصَّـفُ الدَّدِي يَلِيهِ ، وَأَقَامَ الصَّفَ الْمُؤَخَّرُ فِي نَحْرِ الْعَدُو ، فَلَمَّا قَضَى بِالسَّحُودَ قَامَ الصَّفُ الدَّي يَلِيهِ ، وَأَقَامَ الصَّفَ الْمُؤَخَّرُ فِي نَحْرِ الْعَدُو ، فَلَمَّا قَضَى السَّحُودَ قَامَ الصَّفُ الدَّي يَلِيهِ ، وَأَقَامَ الْحَديثَ .

وَفِي رِوَايَة : «ثُمَّ سَحَدَ وَسَحَدَ مَعَهُ الصَّفُّ الأَوَّلُ ، فَلَمَّا قَامُوا سَجَدَ الصَّفُّ الثَّانِي ، ثُمَّ تَأْخَّرَ الْصَّفُّ الأَوَّلُ وَتَقَدَّمَ الصَّفُّ التَّانِي» ، وَذَكَرَ مِثْلَهُ . وَفِي أَوَاحِرِهِ : «ثُمَّ سَلَمَ النَّبِيُّ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ وَسَلَّمْنَا جَمِيعًا». رَوَاهُ مُسْلَمٌ .

502. Jâbir bin 'Abdullâh (RAA) narrated, 'I prayed <u>Salâtul Khauf</u> (prayer when one is afraid) with the Prophet sand he arranged us in two rows behind him. The enemy was between us and the *Qiblah* (i.e. the enemy in this case was in the direction of the *Qiblah*). The Prophet sand the *Takbîr* and we all followed

<sup>164-</sup> Imâm as-San'ânî in 'Subul as-Salâm' says that it is apparent that the second group completed their prayer, and prayed a second rak'ah, after the Imâm made the Taslîm without disconnecting their prayer. The first group did not complete their prayer until the second group had completed theirs and returned to face the enemy and guard the rest of the army, and then they would pray their second rak'ah. This is another way of performing the prayer when one is afraid. (the fear prayer)

him. Then he made  $ruk\hat{u}'$  and we all performed  $ruk\hat{u}'$  after him. Then he raised his head from the  $ruk\hat{u}'$  and we all raised our heads from the rukû'. Next, the Prophet se went down for Sujûd (prostration) as well as the row closest to him (i.e. the front row), while the back row stood facing the enemy until the Prophet 🥸 and the first row had completed their prostration, after which the back row performed  $Suj\hat{u}d$  and then stood. Following this, those in the back row moved to the front, while those in the front row moved to the back. The Prophet sperformed the rukû and we all performed  $ruk\hat{u}$ . Then, he raised his head and we raised our heads from  $ruk\hat{u}'$ . Afterward, he made the  $Suj\hat{u}d$  and the row that was previously in the back during the first rak ah prostrated with him while the [new] back row stood facing the enemy. When the Prophet and the [new] front row had completed their  $Sui\hat{u}d$ , the [new] back row performed Sujûd. Finally, the Prophet made the Taslîm and we followed him in this.' Related by Ahmad, Muslim and An-Nasâ'î.

In another narration, '...then he prostrated and the first row prostrated with him. When they stood, the second row performed  $Suj\hat{u}d...$ ' and mentioned the same as the rest of the first  $\underline{H}ad\hat{\iota}th$ .' Finally, 'Then the Prophet  $\frac{1}{2}$  made the  $Tasl\hat{\iota}m$  and we all made the  $Tasl\hat{\iota}m$  with him.' Related by Muslim.

503. Abû Dawûd related on the authority of Abû 'Aiyâsh az-Zuraqî, a similar <u>Hadîth</u> with the following addition, 'It was performed (i.e. the fear prayer) at 'Usfân.'

٥٠٤ \_ وَلِلنَّسَائِيِّ مِنْ وَجْهِ آخَرَ عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنُّ النَّبِيَّ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ مَنْ مَنْ وَجْهِ آخَرِ عَنْ أَصْحَابِهِ رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ صَلَّى بِآخَرِينَ رَكْعَتَيْنِ ، ثُمَّ سَلَّمَ ، ثُمَّ صَلَّى بِآخَرِينَ رَكْعَتَيْن ، ثُمَّ سَلَّمَ».

504. An-Nasâ'î narrated on the authority of Jâbir (RAA), with a different chain of narrators that the Messenger of Allâh prayed two rak'ât with one group of his companions and then made the Taslîm. Then he prayed another two rak'ât with another group, and then made the Taslîm.

505. Abû Dawûd transmitted a similar narration on the authority of Abû Bakrah.

٥٠٦ \_ وَعَـــنْ حُدَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَلَّى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَلَّى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ عَبْوُلاَءِ رَكْعَةً ، وَلَمْ يَقْضُوا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

506. <u>H</u>udhaifah (RAA), narrated, 'The Messenger of Allâh prayed the fear prayer with his companions. He led one group in one rak'ah, and then the other group in one rak'ah, and they did not pray a second rak'ah (to complete two rak'ât as they had in the previous cases). Related by Ahmad, Abû Dawûd, an-Nasâ'î and was graded as <u>Sahîh</u> by Ibn <u>H</u>ibbân.

507. Ibn Khuzaimah transmitted a similar <u>H</u>adîth on the authority of Ibn 'Abbâs.

٥٠٨ - وَعَن ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «صَلاَةُ الْخَوْفِ رَكْعَةٌ عَلَى أَيِّ وَجْهِ كَانَ» رَوَاهُ البَرَّارُ بِإِسْنَادِ ضَعِيفٍ.

508. Ibn 'Umar (RAA) narrated, 'The Prophet said, "Salâtul Khauf\_(the fear prayer) is one rak'ah and is to be performed in any way." Related by Al-Bazzâr with a weak chain of narrators.

٩ . ٥ . وعَــنْهُ مَــرْفُوعًا : «لَــيْسَ فِي صَلاَةِ الْحَوْفِ سَهْوٌ». أَخْرُجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادِ ضَعِيفٍ .
 بإسْنَادِ ضَعِيفٍ .

509. Ibn 'Umar (RAA) narrated that the Prophet said, "There is no Sujûd as-Sahu (prostration due to forgetfulness during prayer), to be performed in Salâtul Khauf." Related by Ad-Dâraqutnî with a weak chain of narrators.

# بَسابُ صَسلاَةِ الْعِيدَيْسِ

#### Chapter XIV: The Prayer of the Two Îd Festivals

١٠ = عَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «الْفِطْرُ يَوْمَ يُفْطِرُ النَّاسُ ، وَالأَضْحَى يَوْمَ يُضَحِّى النَّاسُ». رَوَاهُ التَّرْمِذِيُّ .

510. 'Â'ishah (RAA) narrated that the Messenger of Allâh said, 'Breaking the fast at the end of Ramadân is (determined) when people break their fast, and 'Îdul Ad-hâ (the 'Îd of sacrifice), is (determined) when people offer their sacrifices.' Related by at-Tirmidhî.

١١ - وعَنْ أَبِي عُمَيْرِ بْنِ أَنْسِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ عُمُومَة لَهُ مِنَ السَّحَابَة : «أَنَّ رَكْبًا جَاءُوا ، فَشَهِدُوا أَنَّهُمْ رَأُوا الْهِلاَلَ بِالأَمْسِ ، فَأَمَرَهُمُ النَّبِيُّ صَلَامًة . وَإِذَا أَصْبَحُوا أَنْ يَغْدُوا إِلَى مُصَلاَهُمْ ».
رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَهَذَا لَفْظُهُ ، وَإِسْنَادُهُ صَحيحٌ .

511. Abû 'Umair bin Anas ibn Mâlik (RAA) narrated on the authority of some of his uncles from among the Companions of the Prophet \$\mathbb{Z}\$ that some riders came and testified that they had seen the crescent (of the new moon) the previous night. Thereupon, the Messenger of Allâh \$\mathbb{Z}\$ ordered the people to break their fast, and to go out to their praying place (where they pray the \$\hat{Id}\$ prayer) the next morning (to perform the \$\hat{Id}\$ prayer in congregation).\(^{166}\$ Related by Ahmad and Abû Dawûd, and the wording is his, with a sound chain of narrators.

<sup>165-</sup> Some scholars said that this <u>Hadith</u> refers to the fact that one should start fasting and break his fast with the Muslim community, and do as they do. The same applies for the day of sacrifice.

<sup>166-</sup> In the <u>Hadith</u> there lies evidence that it is possible to pray the Îd prayer on the second day of Îd, if people did not know that the crescent had already been seen, except after the time of prayer has passed, as in this <u>Hadith</u>. It is also evidence that if one misses the Îd prayer for any reason, he may go out and pray it the following day.

٥١٢ ـ وعُــنْ أنْــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ لاَ يَعْـــدُو يَـــوْمَ الْفَطْرِ حَتَّى يَأْكُلُ تَمْرَاتٍ». أَخَرَجَهُ الْبُخَارِيُّ ، وَفِي رِوَايَةٍ مُعَلَّقَةٍ ، وَوَصَلَهَا أَحْمَدُ : «وَيَأْكُلُهُنَّ أَفْرَادًا».

512. Anas (RAA) narrated, "The messenger of Allâh ﷺ would not go out on the Day of 'Îdul Fiţr (Festival of breaking the fast) until he had eaten some dates.' Related by Al-Bukhârî. In another narration by Ahmad, there is the additional phrase, 'He would eat ﷺ an odd number of dates.'

١٣ - وَعَــنِ ابْنِ بُرَيْدَةَ عَنْ أبيه - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يَخْرُجُ يَوْمَ الْفَطْرِ حَتَّى يَطْعَمَ ، وَلاَ يَطْعَمُ يَوْمَ الأَضْحَى حَتَّى يُصلِّى». رَوَاهُ أَحَمْدُ وَالتَّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

513. Abû Buraidah narrated on the authority of his father (RAA), 'The Messenger of Allâh & would not go out on the Day of 'Îdul Fitr, until he had eaten (something), and on the Day of 'Îdul Ad-hâ he would not eat until he had returned from the prayer.' Related by Ahmad, At-Tirmidhî and Sahîhated by Ibn Hibbân.

١٤ - وَعَنْ أُمِّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : « أُمِرْنَا أَنْ نُخْرِجَ الْعَوَاتِقَ وَالْحُيَّضَ فِي الْعِيدَيْنِ : يَشْهَدْنَ الْحَيْرَ وَدَعْوَةَ الْمُسْلِمِينَ ، وَيَعْتَزِلُ الْحُيَّضُ الْمُصلَّى».
 مُثَّفَقٌ عَلَيْهِ .

514. Umm 'Atiyah (RAA) related, 'We were ordered to come to the prayer of the two 'Îds and (even) bring out with us the young (virgin) girls (who had not yet reached puberty) and the menstruating women, so they might witness the good(seen)<sup>167</sup> and the Takbîr and supplications of the Muslims. However, the menstruating women would keep away from the praying place (i.e. stand to the side and watch).' Agreed upon

<sup>167-</sup> Of performing the 'Îd prayer in congregation, that everybody joins in including children, and women, except for the menstruating women.

- ٥١٥ ـــ وَعَـــنِ ابْنِ عُمَرُ رُضِيَ اللَّهُ عَنْهُمًا قَالَ : «كَانَ رُسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمًا اللَّهُ وَسَلَّمَ ، وَأَبُو بَكْرٍ وَعُمَرُ يُصَلُّونَ الْعِيدَيْنِ قَبْلَ الْخُطْبَةِ». مُتَّفَقٌ عَلَيْهِ .
- 515. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh 'É, Abû Bakr and 'Umar used to offer the two 'Îds prayer before the Khutbah.' Agreed upon.
- ١٦ وَعَــنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
   صَلَّى يَوْمَ الْعِيدِ رَكْعَتَيْنِ ، لَمْ يُصَلَّ قَبْلَهُمَا وَلاَ بَعْدَهُمَا». أَخْرَجَهُ السَّبْعَةُ .
- 516. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ, went out to the 'Îd prayer and prayed the two rak 'ât (of the 'Îd ) and did not offer any other prayer before or after it.' Related by the seven Imâms.
- ١٧ وَعَنْهُ رَضِيَ اللَّهُ عَنْهُ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى الْعِيدَ بِلاَ أَذَانٍ ، وَلاَ إِقَامَةٍ». أُخْرَجَهُ أبو دَاوُد ، وأَصْلُهُ فِي الْبُخَارِيِّ .
- 517. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh , offered the 'Îd prayer without calling for the Adhân or Iqâmah.' Related by Abû Dawûd.
- ٥١٨ وعَـــن أبـــي سَعيد رَضِيَ اللَّهُ عَنْهُ قَالَ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يُصَلِّي قَبْلَ الْعِيدِ شَيْئًا ، فَإِذَا رَجَعَ إِلَى مَنْزِلِهِ صَلَّى رَكْعَتَيْنِ». رَوَاهُ ابْنُ مَاجَهُ بإِسْنَادٍ حَسَنٍ .
   بإسْنَادٍ حَسَنٍ .
- 518. Abû Sa'îd (RAA) narrated, 'The Messenger of Allâh ﷺ never used to observe any prayer before the 'Îd prayer, but when he returned home, he would pray two rak'ât.' Related by Ibn Mâjah with a good chain of narrators.
- ١٩ وَعَنْهُ قَالَ : «كَانَ النّبِيُّ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ يَخْرُجُ يَوْمَ الْفَطْرِ وَالْأَصْحَى إِلَى الْمُصَلّى ، وَأَوَّلُ شَيْء يَيْدَأُ بِهِ الصَّلاَةُ ، ثُمَّ يَنْصَرِفُ فَيَقُومُ مُقَابِلَ النّاسِ ، وَالنّاسُ عَلَى صُفُوفِهِمْ ، فَيَعِظُهُمْ وَيَاْمُرُهُمْ» مُتَّفَقٌ عَلَيْهِ .
  - 519. Abû Sa'îd (RAA) narrated, 'On the Days of 'Îdul Fitr and

 $\hat{I}dul \ A\underline{d}-\underline{h}\hat{a}$ , the Messenger of Allâh  $\cancel{z}$  would go out to the praying place, and the first thing that he started with was the  $\hat{I}d$  pra-0yer, and when he had finished he would stand facing the people, while the people were sitting in rows, and he would admonish them and advise them.' Agreed upon.

٥٢٠ \_ وَعَنْ عَمْرِو بْنِ شُعَيْب عَنْ أبيه عَنْ حَدِّه - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ نَسِيُّ اللَّهِ عَنْ عَمْرِو بْنِ شُعَيْب عَنْ أبيه عَنْ حَدِّه - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ نَسِيُّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «التَّكْبِيرُ فِي الْفِطْرِ سَبْعٌ فِي الأُولَى وَحَمْسٌ فِي الأُحْرِيَ اللَّهُ مِدَى اللَّهُ عَلَى التَّرْمِذِيُّ عَنْ الأُحْرَجَةُ أَبُو دَاوُدَ ، وَنَقَلَ التَّرْمِذِيُّ عَنْ الْبُحارِيِّ تَصْحِيحَهُ .
 الْبُخارِيِّ تَصْحِيحَهُ .

520. 'Amro bin Shu'aib (RAA) on the authority of his father on the authority of his grandfather [68] (May Allâh be pleased with all of them), narrated, 'The Messenger of Allâh would make seven Takbîrât in the first rak'ah of the 'Îd prayer, and five Takbîrât in the second, and then he would start reciting the Qur'ân, after the Takbîrât in each rak'ah.' Related by Abû Dawûd.

٥٢١ ـــ وَعَنْ أَبِي وَاقِد اللَّيْثِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ النَّبِيُّ يَقْرَأُ فِي الْفِطْرِ وَالأَضْحَى بِـــ{قَ} [قُ : ١]، وَ {اقْتَرَبَتْ} [القَمَر : ١]. أُخْرَجَهُ مُسْلمٌ .

521. Abû Wâqid Al-Laithî (RAA) narrated, The Messenger of Allâh used to recite in the prayer of Îdul Ad-hâ, "Qâf. By the Glorious Qur'ân" (sûrah no. 50:1) and "The Hour has drawn near, and the moon has been cleft asunder." (sûrah no. 54:1). Related by Muslim.

٥٢٢ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا كَانَ يَوْمُ الْعِيدِ خَالَفَ الطَّرِيقَ». أَخْرَجَهُ الْبُخَارِيُّ .

522. Jâbir (RAA) narrated, 'On the days of 'Îd, the Messenger of Allâh ﷺ would take different routes (i.e. would go to the prayer in one way, and return home in another.' Related by Al-Bukhârî.

<sup>168-</sup> He is 'Amro bin Shu'aib bin Muhammad bin 'Abdullâh bin 'Amro bin Al-'Âs.

٢٣ ه ـــ وَلاَّبِي دَاوُدُ عَنِ ابْنِ عُمَرُ نُحُوُّهُ .

523. Abû Dawûd narrated a similar narration on the authority of Ibn Umar.

٥٢٤ ـــ وَعَنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَدِمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمَدِيسَنَةَ ، وَلَهُمْ يَوْمَانِ يَلْعُبُونَ فِيهِمَا ، فَقَالَ : «قَدْ أَبْدَلَكُمْ اللَّهُ بِهِمَا خَيْرًا مِنْهُمَا : يَوْمَ الأَضْحَى ، وَيَوْمَ الْفُوطْرِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ .

524. Anas (RAA) narrated, 'When the Messenger of Allâh \$\frac{\pi}{2}\$ came to Madînah, they had two days of sport and amusement. The Prophet \$\frac{\pi}{2}\$ said, "Allâh, the Exalted has exchanged these days for two days better than them; the day of sacrifice ('Îdul Ad-\hat{h}\hat{a})and the day of breaking the fast(\hat{l}dul Fit\_r)." Related by Abû Dawûd and an-Nasâ'î with a sound chain of narrators.

٥٢٥ \_ وَعَـــنْ عَلَـــيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مِنَ السُّنَّةِ أَنْ يَخْرُجَ إِلَى الْعِيدِ مَاشيًا». رَوَاهُ التَّرْمذيُّ وَحَسَّنَهُ .

525. 'Alî (RAA) narrated, 'It is an act of the Sunnah of the Prophet \$\mathbb{Z}\$ to go out to the 'Îd prayer walking.' Related by At-Tirmidhî, who graded it as \$\mathbb{H}asan\$ (good).

٥٢٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّهُمْ أَصَابَهُمْ مَطَرٌ فِي يَوْمِ عِيدٍ ، فَصَــــلَّى بِهِـــــمُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلاَةَ الْعِيدِ فِي الْمَسْجِدِ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ لَيِّنِ .

526. Abû Hurairah (RAA) narrated, 'It was raining on the day of  $\hat{I}d$ , so the Prophet  $\frac{2}{3}$  led them in the  $\hat{I}d$  prayer inside the mosque.' <sup>169</sup>

<sup>169-</sup> It is preferable to pray the Îd prayer in a place outside the city, in an open area, unless there is an excuse such as rain, in which case it could be prayed in the mosque. The Prophet 类 prayed the two Îd prayers in the outskirts of Madînah.

### بَابُ صَلاَة الْكُسُوف

#### Chapter XV: The Prayer During a Solar Eclipse

٥٢٧ ــ عَــن الْمُغيرَة بْن شُعْبَة - رَضيَ اللَّهُ عَنْهُ - قَالَ : انْكَسَفت الشَّمْسُ عَلَى عَهْد رَسُول اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ، يَوْمَ مَاتَ إِبْرَاهِيمُ ، فَقَالَ النَّاسُ : انْكَسَفَت الشَّــمْسُ لمَــوْت إبْرَاهِيمَ ، فَقَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «إنَّ الشَّمْسَ وَالْقَمَــرَ آيَتَانَ مِنْ آيَاتِ اللَّهِ لاَ يَنْكَسفَانَ لمَوْتِ أَحَد وَلاَ لحَيَاتُه ، فَإِذَا رَأَيْتُمُوهَا ، فَــادْعُوا اللَّــةَ وَصَـــلُّوا حَـــتَّى تَنْكَشـــفَ». مُتَّفَقٌ عَلَيْه ، وَفي رِوَايَة لِلْبُخَارِيِّ : «حَتَّى تَنْجَلى».

Al-Mughîrah bin Shu'bah (RAA) narrated, 'The sun ecli-527.psed during the lifetime of the Messenger of Allâh % on the day when (his son) Ibrâhîm died. So, the people said that the sun had eclipsed because of the death of Ibrâhîm. Allâh's Messenger 🥞 said, "The sun and the moon are two miracles created by Allâh. They do not eclipse for the death or life (i.e. birth) of anyone. Should you witness an eclipse of the sun or the moon, pray and invoke Allâh until it is over." Agreed upon. In the narration of Al-Bukhârî, "Until the eclipse is clear."

 ٥٢٨ ـــ وَلَلْــبُخَارِيِّ ، منْ حَديث أبي بَكَرَةً - رَضيَ اللَّهُ عَنْهُ - : «فَصَلُّوا وَادْعُوا حَتَّى يَنْكَشفَ مَا بكُمْ».

Abû Bakrah (RAA) narrated, "pray and invoke Allâh until the eclipse (that you are witnessing) is over." Related by al-Bukhârî.

٥٢٩ ـــ وَعَنْ عَائشَةَ - رَضَيَ اللَّهُ عَنْهَا - : أَنَّ النَّبيُّ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ جَهَرَ في صَــــلاَةِ الْكُسُـــوف بِقرَاءَتِهِ ، فَصَلَّى أَرْبُعَ رَكَعَاتِ فِي رَكْعَتَيْنِ ، وَأَرْبُعَ سَحَدَاتِ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسلم . وَفِي رِوَايَةٍ لَهُ : «فَبَعَثَ مُنَادِيًّا يُنَادِي : الصَّلاَةُ حَامِعَةٌ».

'Â'ishah (RAA) narrated, The Messenger of Allâh 🎉 reci-

ted the Qur'an aloud during the eclipse prayer. He performed four bowings in a total of two  $rak'\hat{a}t$  (i.e. he performed the  $ruk\hat{u}'$  twice in each rak'ah), and prostrated four times (i.e. he made Suj- $\hat{u}d$  twice in each rak ah).'Agreed upon, and the wording is from Muslim. In another narration, he sent a man calling, 'prayer (is to be performed) in congregation.

٥٣٠ ـــ وَعَـــنُ ابْن عَبَّاس - رَضيَ اللَّهُ عَنْهُمَا - قَالَ : «انْخَسَفَت الشَّمْسُ عَلَى عَهْد رَسُول اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ فَصَلَّى ، فَقَامَ قيامًا طَوِيلاً ، نَحْوًا مِنْ قِرَاءَة سُوَرَة الْبَقَرَة ، ثُمَّ رَكَعَ رُكُوعًا طَويلاً ، ثُمَّ رَفَعَ فَقَامَ قَيَامًا طَويلاً ، وَهُوَ دُونَ الْقَيَام الأَوَل ، ثُمَّ رَكَعَ رُكُوعًا طَوِيلاً ، وَهُوَ دُونَ الرُّكُوعِ الأَوَل ، ثُمَّ سَجَدَ ، ثُمَّ قَامَ قيامًا طَويــــلاً ، وَهُـــوَ دُونَ الْقيام الأَوَل ، ثُمَّ رَكَعَ رُكُوعًا طَويلاً ، وهو دُونَ الرُّكُوع الأَوَل ، نُسمَّ رَفَسعَ ، فَقَامَ قَيَامًا طَويلاً ، وَهُوَ دُون الْقيام الأَوَل ، ثُمَّ رَكَعَ رُكُوعًا طَوِيسلاً ، وَهُــوَ دُونَ الرُّكُوعِ الأَوَل ، ثُمَّ رَفَعَ رَأْسَهُ ثُمَّ سَجَدَ ، ثُمَّ الْصَرَف ، وَقَد انُجَلَت الشَّمْسُ فَخَطَبَ النَّاسَ». مُتَّفَقٌ عَلَيْه ، وَاللَّفظُ للْبُخَارِيِّ . وفي رِوَايَــةِ لِمُسْــلِمِ : «صَـــلَّى حِــينَ كُسِفَتِ الشَّمْسُ ثَمَانِيَ رَكَعَاتِ فِي أَرْبَع

سُجُدُات .

Ibn 'Abbâs (RAA) narrated, 'The sun eclipsed during the 530.lifetime of the Prophet ﷺ and he prayed the eclipse prayer. He made a lengthy standing, similar to (the time that it takes to) recite Sûrah al-Bagarah (Sûrah no. 2). Then he made a long rukû', after which he stood and made another long recital, but shorter than the first one. Again he went into a long  $ruk\hat{u}$ , but for a shorter time than the first one. Following this, he prostrated (twice). Next he made another long standing with a long recital, but not as long as the first one. After that, he made another lengthy rukû' but it was not as long as the first one. Then he made another lengthy rukû' but it was not as long as the first one. After which he made another long recital but it was not as long as the first one. Again, he made another lengthy rukû' but it was shorter than the previous one. Following this, he went into sujûd (prostration, twice). By the time he finished, the sun had appeared, and he started to address the people.' Agreed upon, and the wording is from Al-Bukhârî'.

In a narration by Muslim, 'When the sun eclipsed, he made  $\stackrel{\text{def}}{=}$  eight bowings in two  $rak'\hat{a}t$  (i.e. he performed  $ruk\hat{u}'$  four times in each rak'ah), and prostrated four times (i.e. he made  $suj\hat{u}d$  twice in each rak'ah).'<sup>170</sup>

531. Imâm Muslim transmitted a similar narration on the authority of 'Alî (RAA).

532. Muslim also transmitted the following on the authority of Jâbir (RAA), 'The Messenger of Allâh performed six bowings and four prostrations (in two rah 'ât).'

533. Ubay bin Ka'b (RAA) narrated, 'The Messenger of Allâh performed the eclipse prayer, and he made five bowings and two prostrations (in the first rah'ah), and did the same in the second.' Related by Abû Dawûd.

٥٣٤ ـــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : مَا هَبَّتِ الرِّيحُ قَطُّ إِلَّا جَثَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى رُكْبَتَيْهِ ، وَقَالَ : «اللَّهُمَّ اجْعَلَهَا رَحْمَةً وَلاَ تَجْعَلَهَا عَذَابًا». رَوَاهُ الشَّافِعيُّ ، وَالطَّبَرَانيُّ .

534. Ibn 'Abbâs (RAA) narrated, 'No wind has ever blown, except that the Prophet \* would go down on his knees and say, "O Allâh, make it a mercy for us and do not make it as a punishment." Related by Ash-Shâfi'î and At-Tabarânî.

<sup>170-</sup> Some scholars are of the opinion that the eclipse prayer is performed in this way.

535. Ibn 'Abbâs (RAA) narrated that the Prophet made six bowings and four prostrations (in two rak'ât), when an earthquake occurred and said, "This is the prayer (to be performed) when one of the signs of Allâh (such as an eclipse, an earthquake etc...) occurs." Related by Al-Baihaqî.

Imâm Ash-Shâfi'î transmitted a similar narration, excluding the last part, on the authority of 'Alî (RAA).

### بَابُ صَلاَةِ الإِسْتِسْقَاءِ

# Chapter XVI: The Istisqâ' Prayer (invoking Allâh for rain during drought)

٥٣٦ \_ عَــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «خَرَجَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ مُتَوَاضِعًا ، مُتَبَذَّلًا ، مُتَخَشِّعًا ، مُتَرَسِّلًا ، مُتَضَرِّعًا ، فَصَلَّى رَكْعَتَيْنِ ، كَمَا يُصَلِّى فِي الْعِيدَ ، لَمْ يَخْطُبُ خُطُبْتَكُمْ هَذِه». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَاللهِ عَوَانَةُ ، وَالْبِنُ حَبَّانَ .

536. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh sent out (to make the *Istisqâ*' prayer) wearing old clothes, in a humble and submissive manner, walking slowly, invoking Allâh (in humility) and prayed two rak'ât, as he prayed the 'Îd prayer, but he did not give a similar Khutbah (like the one he delivers on the 'Îd day).' Related by the five Imâms. At-Tirmidhî, Abû 'Awânah and Ibn Hibbân graded it as Sahîh.

٣٧٥ \_ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : شَكَا النَّاسُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قُحُوطَ الْمَطَرِ ، فَأَمَرَ بِمِنْبَرِ ، فَوُضِعَ لَهُ بِالْمُصَلَّى ، وَوَعَدَ النَّاسَ يَوْمًا اللَّهُ عَلَيْهِ وَسَلَّمَ قُحْرَجَ حِينَ بَدَا حَاجَبُ الشَّمْسِ ، فَقَعَدَ عَلَى الْمنْبَرِ ، فَكَبَّرَ وَحَمدَ اللَّسَة ، ثُسَمَّ قَسَالَ : «إِنَّكُمْ شَكَوْتُمْ جَدْبَ دِيَارِكُمْ ، وَقَدْ أَمَرَكُمُ اللَّهُ أَنْ تَدْعُوهُ ، وَوَعَدَ كُسِمْ أَنْ يَسْسَتَحِيبَ لَكُمْ» ، ثُمَّ قَالَ : « {الْحَمْدُ لِلّهِ رَبِّ الْعَالَمِينَ \* الْرَّحْمَنِ الْرُّحِيمِ \* مَالِكِ يَوْمِ اللَّهِ يَنْ } ، لاَ إِلَهُ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُّ أَنْتَ اللَّهُ ، لاَ إِلَهُ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُّ أَنْتَ اللَّهُ ، لاَ إِلَهَ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُّ أَنْتَ اللَّهُ ، لاَ إِلَهَ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُّ أَنْتَ اللَّهُ ، لاَ إِلَهَ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُّ أَنْتَ اللَّهُ ، لاَ إِلَهَ إِلاَ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُ أَنْتَ اللَّهُ ، لاَ إِلَهُ إِلاَّ اللَّهُ يَفْعَلُ مَا يُرِيدُ ، اللَّهُمُ أَنْتَ اللَّهُ ، لاَ إِلَهُ إِلاَ اللَّهُ يَعْعَلُ مَا يُرِيدُ ، اللَّهُمُ أَنْتَ اللَّهُ ، لاَ إِلَهُ إِلاَ اللَّهُ يَعْمَلُ مَا يُرِيدُ ، اللَّهُ مَا يُرِيدُ ، اللَّهُ مَا يُوحِمِ اللَّهُ مَا يُرْعِمُ اللَّهُ عَلَى مَا يُرِيدُ ، اللَّهُ مَا يُوعِمُ الْمَاهُ مَا يُرْعِمُ اللَّهُ عَلْ مَا يُوعِمُ اللَّهُ مَا اللَّهُ عَلَى اللَّهُ يَعْمُ اللَّهُ عَلَى اللَّهُ الْحَمْدُ لِلهُ اللَّهُ الْعَامِينَ اللَّهُ عَلَى اللَّهُ اللَّهُ اللَّهُ الْعَالَمُ عَلَى اللَّهُ الْعَلَمُ اللَّهُ اللَّهُ الْعَلَمُ الْعُولُ مَا يُرْعِمُ اللْتَ اللَّهُ اللَّهُ الْعَالَمُ عَلَى الْعَلَمُ الْعَالَمُ عَلَى اللَّهُ الْعَلَمَ اللَّهُ الْعَالَمُ اللَّهُ الْعَلَمُ الْعَلَمُ الْعَلَمُ اللَّهُ الْعَلَمُ الْعَلَمُ اللَّهُ الْعَلَمُ الْعُلْمُ الْعَلَمُ اللَّهُ الْعَلَمُ الْعَلَمُ الْعَلْمُ الْعَلَمُ الْعَالَمُ الْعَلَمُ اللَّهُ الْعَلْمُ الْعُلُمُ الْعَلْمُ الْعَلَمُ الْعَلْمُ الْعَلَمُ الْعَلْمُ الْعَلْمُ الْعُولُ اللَّهُ الْعَلْم

أَنْ ، أَنْتَ الْغَنِيُّ وَنَحْنُ الْفَقَرَاءُ ، أَنْزِلْ عَلَيْنَا الْغَيْثُ ، وَاجْعَلْ مَا أَنْزَلْتَ عَلَيْنَا قُوَّةً وَبَلاَغُ ، وَاجْعَلْ مَا أَنْزَلْتَ عَلَيْنَا قُوَّةً وَبَلاَغُ ، وَبَلاَغُ اللّهِ ، ثُمَّ رَفَعَ يَدَيْهِ ، فَلَمْ يَزَلْ حَتَّى رُئِيَ بَيَاضُ إِبْطَيْهِ ، ثُمَّ حَوَّلَ إِلَى السَّاسِ ظَهْرَهُ ، وَقُلَبَ رِدَاءَهُ ، وَهُو رَافِعٌ يَدَيْهِ ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ وَنَزَلَ ، فَصَلَّى السَّاسِ ظَهْرَهُ ، وَقَلَبَ رِدَاءَهُ ، وَهُو رَافِعٌ يَدَيْهِ ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ وَنَزَلَ ، فَصَلَّى رَكُعَتَ اللّهِ مَا لَكُ اللّهِ مَا اللّهُ مَا اللّهُ مَا اللّهُ اللّهِ مَا اللّهُ اللّهُ مَا اللّهُ مَا اللّهُ اللّهُ اللّهُ اللّهُ مَا اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ الللّهُ الللّهُ الللّهُ الللّهُ اللللّهُ اللللّهُ الللّهُ الللّهُ الللّهُ اللللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ الللللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللللّهُ اللللّهُ اللللّهُ الللّهُ الللللّهُ اللّهُ اللّهُ اللّهُ اللللللّهُ الللللّهُ اللللللّهُ الللللّهُ الللللّهُ الللّهُ الللللّ

'Â'ishah (RAA) narrated, 'The people complained to the 537.Messenger of Allah & about the lack of rain, so he gave orders for a pulpit to be set up for him in the place of prayer. He then appointed a day for the people to gather and he came out on that day when the sun had just appeared. The Messenger of Allâh 🌉 sat down on the pulpit, said Takbîr and praised Allâh. Then he said, "You have complained of drought in your areas, but you have been ordered by Allah to supplicate Him and He has promised that He would answer your prayers." Then he said: "All praise is for Allâh, the Compassionate, the Merciful, the Only Owner of the Day of Judgment. There is no God but Allâh Who does what He wishes. O Allâh, there is no God except You! You are the Self-sufficient and we are the needy. Send down rain upon us and make it a source of strength for us and satisfaction.' He then raised his hands and kept raising them until the whiteness of his armpits could be seen. After that he turned his back to the people and turned his cloak around171, keeping his hands raised, then he faced the people, descended from the pulpit and prayed two rak'at. Allah, the Almighty then sent a cloud which produced thunder and lightening, and by Allâh's permission, it rained." Related by Abû Dawûd, who said that its chain of narrators is good.

<sup>171-</sup> In a narration by Al-Bukhârî, on the authority of 'Abdullâh Ibn Zaid, 'The Prophet ﷺ turned his outer garments around, placing its left side on his right side and vice versa.' Scholars say that the wisdom here is the favorable omen of a change of state. It seems that the Prophet ﷺ was optimistic that by turning round his cloak, the state of drought would turn into that of rain and prosperity.

٥٣٨ ـــ وَقِصَّــةُ التَّحْوِيلِ فِي الصَّحِيحِ مِنْ حَدِيثِ عُبْدِ اللَّهِ بْنِ زُيْدٍ ، وَفِيهِ : فَتُوَجَّهُ إِلَى الْقِبْلَةِ يَدْعُو ، ثُمَّ صَلَّى رَكْعَتَيْنِ جَهَرَ فِيهِمَا بِالْقِرَاءَةِ .

538. The story of turning the garment is mentioned in <u>Sahîh</u> Al-Bukhârî on the authority of 'Abdullâh Ibn Zaid, who said, 'The Messenger of Allâh turned towards the *Qiblah* and started invoking Allâh, then he prayed two rak 'ât reciting the Qur'ân aloud.'

539. Abû Ja´far al-Bâqir (RAA) narrated, 'and he turned his garment for the drought to turn away.' Related by Ad-Dâraqutnî, and it was reported to be <u>Hadîth Mursal</u> (that in which the link between the Successor (Tâbi´î) and the Prophet i.e. the companion is missing).

٥٤٠ ـــ وَعَـــنْ أَنَسِ أَنْ رَجُلاً دَخَلَ الْمَسْجِدَ يَوْمَ الْجُمُعَةِ ، وَالنَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمْ قَائِمٌ يَخْطُبُ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، هَلَكَتِ الأَمْوَالُ ، وَانْقَطَعَتِ السُّبُلُ ، فَادْعُ اللَّهُمَّ أَغِنْنَا ، اللَّهُمَّ أَغِنْنَا» ، فَادْعُ اللَّهُمَّ أَغِنْنَا» ، فَرَفَعَ يَدَيْهِ ، ثُمَّ قَالَ : «اللَّهُمَّ أَغِنْنَا ، اللَّهُمَّ أَغِنْنَا» ، فَذَكَرَ الْحَديثَ ، وَفيه الدُّعَاءُ بإمْسَاكهَا ، مُتَّفَقَ عَلَيْه .

540. Anas (RAA) narrated, 'A man entered the mosque on Friday while the Prophet is was standing delivering the Khutbah. The man said, "O Messenger of Allâh, our wealth has been destroyed and we no longer have any transport. 172 Supplicate Allâh for

us to have rain. The Prophet arised his hands and said, "O Allâh, give us rain. O Allâh, give us rain. O Allâh, give us rain." Anas said, 'By Allâh, at that time there were no clouds in the sky and there was no house or building between the mountain and us. From behind the mountain came a cloud that looked like a shield. By the time it reached the middle of the sky it started to pour with rain. By Allâh we did not see the sun for a week. On the following Friday, a man entered the mosque from that (same) door

<sup>172-</sup> In another narration 'livestock are dying', which may account for the lack of transport.

while the Prophet see was standing delivering the Khutbah and said, 'Our livestock are dead and the roads are cut off (due to torrential rain). Ask Allâh to make it stop.' The Prophet raised his hands and said, "O Allâh, around us and not upon us. O Allâh, make it upon the hills, small mountains, bottom of the valleys, and plantations." The rain stopped and we walked out in the sunshine.' Agreed upon.

١٤ ٥ ـــ وَعَنْهُ أَنَّ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - : «كَانَ إِذَا قُحِطُوا اسْتَسْقَى بِالْعَبَّاسِ بْنِ عُبْدِ الْمُطَّلِبِ ، وَقَالَ : اللَّهُمَّ إِنَّا كُنَّا نُسْتَسْقِي إِلَيْكَ بِنَبِيِّنَا فَتَسْقِينَا ، وَإِنَّا نَتُوسُلُ إِلَيْكَ بِعَبِينَا فَتَسْقِينَا ، وَإِنَّا نَتُوسُلُ إِلَيْكَ بِعَمِّ نَبِينَا فَاسْقِينَا ، فَيُسْقَوْنَ». رَوَاهُ البُخَارِيُّ .

541. Anas (RAA) narrated, 'Whenever drought threatened them, 'Umar Ibnul Khattâb used to ask Al-'Abbâs ibn 'Abdul Muttalib to invoke Allâh for rain. He used to say, 'O Allâh! We used to ask our Prophet to invoke You for rain, and You would bless us with rain, and now we ask his uncle to invoke You for rain. O Allâh! Bless us with rain.' And so it would rain. Related by Al-Bukhârî.

٤٢ ه ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَصَابَنَا وَنَحْنُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ مَطَرٌ قَالَ : فَحَسَرَ ثَوْبَهُ ، حَتَّى أَصَابَهُ مِنَ الْمَطَرِ ، وَقَالَ : «إِنَّهُ حَدِيثُ عَهْدِ بِرَبِّهِ». رَوَاهُ مُسْلِمٌ .

542. Anas (RAA) narrated, 'A shower of rain fell when we were with the Prophet . He lifted up his clothes(uncovering part of his body to the rain), until the rain fell on him. We said, 'Messenger of Allâh, why did you do this?' He said, "Because it has just come from Allâh, the Exalted." Related by Muslim.

٥٤٣ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَأَى الْمَطَرَ قَالَ : «اللَّهُمُّ صَيِّبًا نَافعًا». أَخْرَجَاهُ .

543. 'Â'ishah (RAA) narrated, 'Whenever the Prophet saw the rain, he used to say, "O Allâh! Make it beneficial." Agreed upon.

٤٤ ـ وَعَــنْ سَــعْد - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَعَا فِي الإستسْقَاءِ: «اللَّهُمَّ حَلَّلْنَا سَحَابًا، كَثِيفًا، قَصِيفًا، دَلُوقًا، ضَحُوكًا، تُمْطُرُنَا مِنْهُ رَذَاذًا، قَطْقِطًا، سَحْلاً، يَا ذَا الْحَلاَلِ وَالإِكْرَامِ». رَوَاهُ أَبُو عَوَانَةَ فِي صَحِيحِهِ.

544. Sa'd (RAA) narrated, 'The Messenger of Allâh swould supplicate for Istisqâ' saying, "O Allâh, let us be covered with thick clouds that have abundant and beneficial rain, that is accompanied by a strong sound of thunder (which is a sign of strong rain), frequently making light rain fall upon us and surrounding us with lightning. O Allâh, You are full of majesty, bounty and Honor." Related by Abû 'Awânah in his Sahîh.

٥٤٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «خَرَجَ سُلَيْمَانُ - عَلَيْهِ السَّلاَمُ - يَسْتَسْقِي ، فَرَأَى نَمْلَةً مُسْتَلْقِيَةً عَلَى ظَهْرِهَا رَافِعَةً قَوَائِمَهَا إِلَى السَّمَاءِ تَقُولُ: اللَّهُمَّ إِنَّا خَلْقٌ مِنْ خَلْقِكَ ، لَيْسَ بِنَا غَنِّى عَنْ سُقْيَاكَ وَقَالَ : ارْجِعُوا فَقَدْ سُقِيتُمْ بِدَعْوَةٍ غَيْرِكُمْ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ.

545. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh said, "Prophet Sulaimân went out invoking Allâh for rain. He saw an ant lying on its back raising its legs up to the sky saying, 'O Allâh! We are creatures amongst Your creatures. We can not live without Your rain.' Prophet Sulaimân then said, 'Go back, for it has rained in response to the invocation of others (than you).' Related by Ahmad.

٥٤٦ ـــ وَعَنْ أَنَس - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَسقَى فَأَشَارَ بظَهْر كَفَيْه إلَى السَّمَاء». أَخْرَجَهُ مُسْلمٌ .

546. Anas (RAA) narrated that the Messenger of Allâh ﷺ sup-plicated Allâh for rain and he pointed with the back of his hand to the sky.' Related by Muslim.

### بَابُ الْلَبَاسِ

#### Chapter XVII: Clothing

٥٤٧ ــ عَــنْ أَبِي عَامِرِ الأَشْعَرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ عَلَــيْهِ وَسَــلَّمَ : «لَــيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُونَ الْحِرَ وَالْحَرِيرَ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلَهُ فِي الْبُحَارِيِّ .

547. Abû 'Âmir al-Ash'arî (RAA) narrated, 'The Messenger of Allâh said, "There will be among my followers, some people who will make <u>Halâl</u> (lawful) a woman's vagina (i.e. adultery) and silk (which is forbidden for men)." Related by Abû Dawûd and Al-Bukhârî.

٨٤٥ ـــ وَعَـــنْ حُدَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ أَنْ نَشْـــرَبَ فِي آنِيَةِ الدَّهَبِ وَالفضَّةِ ، وَأَنْ نَأْكُلَ فِيهَا ، وَعَنْ لُبْسِ الْحَرِيرِ وَالدَّيْبَاجِ ، وَأَنْ نَشْــرَبَ فِي آنِيَةِ الدَّهَبِ وَالفضَّةِ ، وَأَنْ نَأْكُلَ فِيهَا ، وَعَنْ لُبْسِ الْحَرِيرِ وَالدَّيْبَاجِ ، وَأَنْ نَحْلِسَ عَلَيْهِ» رَوَاهُ البُخَارِيُّ .

548. Abû Hudhaifah Ibn Al-Yamân (RAA) narrated, "The Messenger of Allâh prohibited us from eating and drinking from gold and silver vessels. He also forbade us from wearing clothes made of silk or brocade (i.e. the men but it is lawful for women) or to sit on them.' Related by Al-Bukhârî and Muslim).

٩٤٥ ـــ وَعَـــنْ عُمَــرَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ عَــنْ لُبْسِ الْحَرِيرِ إِلاَّ مَوْضِعَ إِصْبِعَيْنِ ، أَوْ ثَلاَثٍ ، أَوْ أَرْبَعٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

549. Umar (RAA) narrated, 'The Messenger of Allâh se prohibited (men) from wearing silk, except for the size of two, three or four fingers.' Agreed upon and the wording is from Muslim.

<sup>173-</sup> It is only permissible for men to wear a garment embroidered with silk thread, the maximum size of such a design should not exceed the size of four fingers, or that the whole garment could include a piece of silk not exceeding that size.

٥٥٠ \_ وَعَــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ لِعَــبْدِ الرَّحْمَنِ بْنِ عَوْفٍ ، وَالزُّبْيْرِ فِي قَمِيصِ الْحَرِيْرِ ، فِي سَفَرٍ ، مِنْ حِكَّةٍ كَانَتْ بِهِمَا». مُتَّفَقَ عَلَيْهِ .

550. Anas (RAA) narrated, "The Messenger of Allâh ﷺ gave permission to 'Abdur Rahmân bin 'Auf and Az-Zubair to sear silk clothing on a journey, as they were suffering from a skin irritation.' Agreed upon.

١٥٥ ـــ وَعَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَسَانِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حُلَّـةً سِيَرَاءَ ، فَخَرَجْتُ فِيهَا ، فَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ ، فَشَقَقْتُهَا بَيْنَ نِسَائِي».
 مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

551. 'Alî (RAA) narrated, 'The Messenger of Allâh sent me a garment striped with silk (or made of pure silk, which is more likely) so I went out wearing it. I saw the Prophet and he looked very angry (when seeing me wearing it), so I cut it up (and divided it) among my female (relatives).'174 Agreed upon and the wording is from Muslim.

٥٥٢ ـــ وَعَنْ أَبِي مُوسَى - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «أُحِلِّ الذَّهَبُ وَالْحَرِيرُ لإِنَاكِ أُمَّنِي ، وَحُرِّمَ عَلَى ذُكُورِهَا». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَالتِّرْمِذِيُّ وَصَحَّحَهُ .

552. Abû Mûsâ (RAA) narrated that the Messenger of Allâh said, "Gold and silk are <u>H</u>alâl (lawful) for the females among my nation, but prohibited for the males." Related by Ahmad, An-Nasâ'î and At-Tirmidhî.

٥٥٣ ـــ وَعَـــنْ عِمْــرَانَ بْـــنِ حُصَــيْنِ - رَضِـــيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهَ يُحِبُّ إِذَا أَنْعَمَ عَلَى عَبْدِهِ نِعْمَةً أَنْ يَرَى أَثَرَ نِعْمَتِهِ عَلَيْهِ».

<sup>174-</sup> In another narration, he divided it into three head covers, which he gave to the three Fatimas (i.e. His wife Fâtimah the daughter of the Prophet 3, his mother Fâtimah bint Asad and Fâtimah bint Hamzah, his cousin.

553. Imrân bin <u>Husain</u> (RAA) narrated that the Messenger of Allâh said, "When Allâh bestows one of His favors upon a slave, He likes to see its effect on him."<sup>175</sup> Related by Al-Baihaqî.

554. 'Alî (RAA) narrated, 'The Messenger of Allâh 🎉 prohibited (men from) wearing *Qassei* (a kind of fabric made of silk or striped with silk, 176 which is brought from Egypt and Syria) or any clothing dyed with saffron.' Related by Muslim.

555. 'Abdullâh bin 'Amro (RAA) narrated, "The Messenger of Allâh saw me wearing two garments dyed with saffron. Thereupon he said to me, "Has your mother ordered you to do so?" Related by Muslim.

<sup>175-</sup> This means that one should eat and wear clothes, which reflects his average income, as this is a way of acknowledging the grace of Allâh upon him and also if a poor person sees him looking respectable, he would be encouraged to ask him for help. (Imâm as-San'ânî in Subul as-Salâm; the interpretation of Bulûgh al-Marâm).

<sup>176-</sup> It is definitely prohibited if the percentage of silk is very high, otherwise it is disliked to wear it if there is a small amount.

<sup>177-</sup> This comment from the Prophet \$\mathscr{B}\$ indicates that dying clothes with saffron is absolutely prohibited for men, and he mentioned the mother because it is usual for women to use it to decorate their clothing. This is also supported by the rest of the narration in Muslim, in which the Prophet \$\mathscr{B}\$ commanded him to burn the two garments when 'Amro asked him if he should wash them.

007 \_ وَعَسَنُ أَسْمَاءَ بِنْسَ أَبِي بَكْرٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهَا أَخْرَجَتْ جُسَبَّةَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، مَكْفُوفَةَ الْجَيْبِ وَالْكُمَّيْنِ وَالْفَرْجَيْنِ بِالدِّيسِبَاجِ». رَوَاهُ أَبُو دَاوُدَ ، وَأَصْلَهُ فِي مُسْلِمٍ ، وَزَادَ : «كَانَتْ عِنْدَ عَائِشَةَ حَتَّى بِالدِّيسِبَاجِ» أَنُونَاهُ أَبُو دَاوُدَ ، وَأَصْلَهُ فِي مُسْلِمٍ ، وَزَادَ : «كَانَتْ عِنْدَ عَائِشَةَ حَتَّى فَلِيسِبَاءٍ ، فَتَحْنُ نَعْسِلُهَا فَبَضَّتُ ، فَقَبَضْتُهُا ، وَكَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَلْبِسُهَا ، فَنَحْنُ نَعْسِلُهَا لِلْمُونَدِ : «وَكَانَ يَلْبِسُهَا ، وَزَادَ الْبُحَارِيُّ فِي الأَدَبِ الْمُفْرَدِ : «وَكَانَ يَلْبِسُهَا ، لَلُونُد وَالْجُمُعَة».

556. Asmâ' bint Abî Bakr (RAA) reported that she brought out the cloak of the Prophet and it had a brocade fringe on the collar, sleeves, and the front and back openings. Related by Abû Dawûd, and Muslim who added, ''Â'ishah (RAA) had it until she died, then I took it. The Prophet used to wear it, and now we wash it and use it (or the washing) for the sick, seeking a cure (by virtue of its blessing as it touched the body of the Prophet ). Al-Bukhârî added to the above narration in his book 'Al-Adab al-Mufrad', 'He used to wear it for (meeting with) delegations and for the Friday prayer.'

## كِتَسابُ الْجَنَسائِسزِ

#### **Book III: Funerals**

٥٥٧ ـــ عَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «أَكْـــنْرُوا ذِكْــرَ هَادِمِ اللَّذَّاتِ ، الْمَوْتِ». رَوَاهُ التِّرْمِذِيُّ ، والنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

557. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Remember, as much as you can, the one thing (fact or reality) which (always) brings an end to all worldly joys and pleasures, (meaning death)." Related by At-Tirmidhî, An-Nasâ'î and Ibn Hibbân.

٥٥٨ \_ وَعَــنْ أَنَــس - رَضــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ : «لاَ يَتَمَنَّيْنَ أَخُدُكُمُ الْمَوْتَ لِضُرِّ نَزَلَ بِهِ ، فَإِنْ كَانَ لاَ بُدَّ مُتَمَنِّيًا فَلْيَقُلْ : اللَّهُـــمَّ أَخْيــنِي مَــا كَانَتْ الْوَفَاةُ خَيْرًا لِي ، وَتَوَفِّنِي مَا كَانَتْ الْوَفَاةُ خَيْرًا لِي».
 اللَّهُـــمَّ أَخْيــنِي مَــا كَانَتْ الْحَيَاةُ خَيْرًا لِي ، وَتَوَفِّنِي مَا كَانَتْ الْوَفَاةُ خَيْرًا لِي».
 مُتَّفَقٌ عَلَيْه .

558. Anas (RAA) narrated that the Messenger of Allâh said, "None of you should wish for death due to any affliction, which might have affected him. But if he feels compelled to wish for it (due to extreme distress that he feels he cannot bear), he should say: "O Allâh! Grant me life as long as life is better for me, and let me die when death is better for me." Agreed upon.

٩٥٥ \_ وَعَـــن بُــرَيْدَةَ - رَضِيَ اللّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَى اللّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْمُؤْمِنُ يَمُوتُ بِعَرَقِ الْحَبِينِ». رَوَاهُ الثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

559. Buraidah (RAA) narrated that the messenger of Allâh 😤

said, "The believer dies while his forehead is sweating." Related by the three Imâms.

٥٦٠ ـــ وَعَنْ أَبِي سَعِيد وَأَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالاً : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لَقْنُوا مَوْتَاكُمْ لاَ إِلَهَ إِلاَّ اللَّهُ». رَوَاهُ مُسْلَّمٌ ، وَالأَرْبَعَةُ .

560. Abû Sa'îd and Abû Hurairah (RAA) narrated that the messenger of Allâh said, "Remind those who are on their death bed of the Shahâdah "Lâ Ilâha illal-âh." (for them to say it, hoping it will be their last words)."

٥٦١ ـــ وَعَـــنْ مَعْقـــلِ بْنِ يَسَارِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «اقْرَأُوا عَلَى مَوْتَاكُمْ يس~». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانِ .

561. Ma'qil bin Yasâr (RAA) narrated that the messenger of Allâh said, "Recite Yâsîn (Sûrah no. 36), over those who are dying." Related by Abû Dawûd, An-Nasâ'î and Ibn Hibbân graded it as <u>Sah</u>îh.

٥٦٢ \_ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ رَسُولُ اللَّه صَلَّى اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ رَسُولُ اللَّه صَلَّى اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَى أَنْ سَلَمَةَ ، وَقَدْ شُقَ بَصَرُهُ ، فَأَغْمَضَهُ ، ثُمَّ قَالَ : «إِنَّ الرُّوحَ إِذَا قُــيضَ النَّــبَعَةُ الْبَصَرُ». فَضَجَّ نَاسٌ مِنْ أَهْلِهِ ، فَقَالَ : «لاَ تَدْعُوا عَلَى أَنْفُسِكُمْ إِلاَّ يَخَــيْرٍ ، فَإِنَّ الْمَلاَئِكَةَ تُؤمِّنُ عَلَى مَا تَقُولُونَ». ثُمَّ قَالَ : «اللَّهُمَّ اغْفِرِ لأَبِي سَلَمَةً ،

<sup>178-</sup> Imâm aṣ-Ṣan'ânî in 'Subul as-Salâm', says that this refers to one of two things; one is that when the believer is on his death bed, he would be sweating due to his suffering in the last moments when his soul is about to leave his body; this suffering is the last thing that will expiate what is left of his sins. The other thing, the Prophet \$\mathbb{Z}\$ could be referring to is the life of the believer in which he is always working hard to gain his halâl earnings, fasting, praying to prepare for the Hereafter, and so he meets Allâh, the Almighty when he is still sweating.

<sup>179-</sup> Scholars say that it is recommended to remind those who are on their death bed of the Shahâdah, for him to say it, but they disliked insisting or telling him, 'Say...', lest the dying person becomes irritated or gets more upset due to what he is going through and then utters something which he should not say.

وَارْفَـــعُ دَرَجَتَهُ فِي الْمَهْدِيِّينَ ، وَافْسَحُ لَهُ فِي قَبْرِهِ ، وَنَوِّرْ لَهُ فِيهِ وَاخْلُفُهُ فِي عَقْبِهِ». رَوَاهُ مُسْلَمٌ .

Umm Salamah (RAA) narrated, 'The Messenger of Allah 蹇 came to see Abû Salamah when his sight had become fixed (with his eyes open, as he had already passed away). So the Prophet ﷺ, closed his eyes and said, "When the soul is seized and leaves the body, the sight follows it.' Some of Abû Salamah's family wept and wailed, whereupon the Messenger of Allâh 🎏 said to them, 'Do not supplicate to Allah anything except that which is good for you (i.e. do not say anything which goes against you at that moment), because the angels (who are present at the time of death), say "Amîn" (asking Allâh to accept your invocation) to whatever you say." Then he said, "O Allah! Forgive Abû Salamah, raise his status among (Your) rightly guided servants, make his grave spacious, and fill it with light for him, and be his successor in taking good care of his descendants whom he has left behind, (and make them pious)." Related by Muslim.

563. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh # died, he was covered with a Yemeni mantle that had some designs on it.' Agreed upon.

564. 'Â'ishah (RAA) reported that Abû Bakr kissed the Prophet ﷺ after he had died.' Related by Al-Bukhârî.

565. Abû Hurairah (RAA) narrated that the Messenger of

Allâh said, "A believer's soul remains suspended according to his debt until it is settled or paid off on his behalf."
Related by Ahmad and At-Tirmidhî.

٥٦٦ ـــ وَعَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قـــالَ : فِـــي الَّذِي سَقَطَ عَنْ رَاحِلَتِهِ فَمَاتَ - :«اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفَّنُوهُ فِي تُوبَيْهِ». مُتَّفَقٌ عَلَيْهِ .

566. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said concerning the man who fell off his mount and died during Hajj, "Wash him with water and Sidr (lotus leaves) and shroud him in his two garments (that he was wearing for Ihrâm)." Agreed upon.

٥٦٧ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «لَمَّا أَرَادُوا غُسْلَ رَسُولِ اللَّهِ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالُوا : وَاللَّهِ مَا نَدْرِي ، نُجَرِّدُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَمَا نُجَرِّدْ مَوْتَانَا ، أَمْ لاَ ؟». الْحَديثَ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ .

567. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh died and they wanted to make *Ghusl* (full ritual washing of the body), they said, 'By Allâh we do not know whether we should take off the clothes of Allâh's Messenger as we do for our dead or not?' Related by Ahmad and Abû Dawûd. 180

٥٦٨ ــ وَعَنْ أُمِّ عَطِيَةً - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ عَلَيْنَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَنَحْنُ نُغَسَّلُ ابْنَتَهُ ، فَقَالَ : «اغْسِلْنَهَا ثَلاَثًا ، أَوْ خَمْسًا ، أَوْ أَكْثَرَ مِنْ ذَلِكَ ، إِنْ رَأَيْتُنَ ذَلِكَ ، إِنْ رَأَيْتُنَ ذَلِكَ ، بِمَاءٍ وَسِدْرٍ ، وَاجْعَلْنَ فِي الأَخِيرَةِ كَافُورًا ، أَوْ شَيْئًا مِنْ كَافُورٍ» ،

<sup>180-</sup> The rest of the <u>Hadith</u> as reported by Abû Dawûd, 'When they disputed among themselves, Allâh cast slumber over them until the chin of each of them fell on his chest. Then someone said to them from a side of the house, and they did not know who he was, 'Wash the Prophet \* while his clothes are on him.' So, they washed him while he was wearing his shirt. They poured water over his shirt and rubbed him with his shirt and not with their hands.'

فَلَمَّـــا فَرَغْـــنَا آذَنَّاهُ ، فَأَلْقَى إِلَيْنَا حِقْوَهُ ، فَقَالَ : «أَشْعِرْنَهَا إِيَّاهُ». مُتَّفَقٌ عَلَيْه وَفِي رِوَايَـــة : «ابْدَأْنَ بِمَيَامِنِهَا وَمَواضِعَ الْوُضُوءِ مِنْهَا». وَفِي لَفْظٍ لِلْبُحَارِيِّ : «فَضَفَرْنَا شَعْرَهَا ثَلاَثَةَ قُرُونٍ ، فَأَلْقَبْنَاهَا خَلْفَهَا».

568. Umm 'Atiyah (RAA) narrated, 'The Messenger of Allâh acame to us when we were washing his daughter (Zainab) after she had died and said, "Wash her three times, five times or more if necessary, with water and lotus leaves (Sidr) and apply some camphor to the last washing." When we finished making Ghusl for her, we informed the Messenger of Allâh and he threw his Izâr (a cloth, which he wore round his waist) to us and told us to wrap her in it as the first sheet of the shroud (next to her body).' Agreed upon. In another narration, "Start by washing the organs on the right and those parts that are washed in ablution." In the narration of Al-Bukhârî, "We braided her hair in three braids and made them fall at her back.'

٥٦٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كُفِّنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وُسُــــلَّمَ فِي ثَلاَثَةِ أَثْوَابٍ بِيضٍ سَحُولِيَّةٍ مِنْ كُرْسُفٍ ، لَيْسَ فِيهَا قَمِيصٌ وَلاَ عِمَامَةٌ». مُتَّفَقٌ عَلَيْهِ .

569. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ was shrouded in three pieces of white Yemenite cotton sheets. They did not include either a shirt or a turban.' Agreed upon.

٥٧٠ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «لَمَّا تُوُفِّيَ عَبْدُ اللَّه بْنُ أَبِيِّ
 جَاءَ ابْنَهُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : أَعْطِنِي قَمِيصَكَ أَكَفَّنْهُ فِيهِ ،
 فَأَعْطَاهُ إِيَّاهُ». مُتَّفَقٌ عَلَيْهِ .

570. Abdullâh bin 'Umar (RAA) narrated, 'When 'Abdullâh bin Ubay (the head of the hypocrites) died, his son came to the Prophet and said, 'O Messenger of Allâh! Please give me your shirt to shroud him (his father) in it.' So, Allâh's Messenger gave it to him. Agreed upon.

٥٧١ ــ وَعَــنِ الْبَــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَالَ : «الْبَسُوا مِنْ ثِيَابِكُمُ الْبَيَاضِ ، فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ ، وَكَفْنُوا فِيهَا مَوْتَاكُمْ».
 رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ التَّرْمِذِيُّ .

571. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Wear white clothes, for they are (considered as) your best clothes, and enshroud your dead in them." Related by the five Imâms, except for An-Nasâ'î, and At-Tirmidhî reported it to be sound.

٥٧٢ ـــ وَعَـــنْ جَابِـــرِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَفِّنَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ». رَوَاهُ مُسْلِمٌ .

572. Jâbir (RAA) narrated that the Messenger of Allâh said, "When one of you is in charge of shrouding his brother, he should give him the best shroud he can (i.e. clean, covering the whole body, but not necessarily expensive as this is disliked.)" Related by Muslim.

٥٧٣ ــ وَعَــنْهُ قَالَ : كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَحْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُـــد فِي ثَوْبِ وَاحِد ، ثُمَّ يَقُولُ : «أَيُّهُمْ أَكْثَرُ أَحْذًا لِلْقُرْآنِ ؟» فَيُقَدِّمُهُ فِي اللَّحْدِ ، وَلَمْ يُغَسَّلُوا ، وَلَمْ يُصَلُّ عَلَيْهِمْ . رَوَاهُ البُحَارِيُّ .

573. Jâbir (RAA) narrated that the Messenger of Allâh \$\mathbb{Z}\$ had each two martyrs of the battle of Uhud wrapped in one shroud, and then would ask, "Which one of them knew more of the Qur'ân?" He would put that one (that was pointed out) first in the grave. They were not washed and the Messenger of Allâh \$\mathbb{Z}\$ did not offer a funeral prayer for them.' Related by Al-Bukhârî.

٧٤ ــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 يَقُولُ : « لاَ تَغَالُوا فِي الْكَفَنِ ، فَإِنَّهُ يُسْلَبُ سَرِيعًا». رَوَاهُ أَبُو دَاوُدَ .

574. 'Alî (RAA) narrated, 'I heard the Messenger of Allâh \$\mathscr{a}\text{say}, "Do not be extravagant in shrouding (i.e. do not spend too much money on them) for it will decay quickly." Related by Abû Dawûd.

٥٧٥ \_ وَعَـــنْ عَائشَـــةَ أَنَّ النَّـــبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهَا : «لُوْ مُتَّ قَبْلِي لَغَسَّلْتُكِ ». الْحَدِيثَ . رَوَاهُ أَحْمَدُ ، وَابْنُ مَاجَةْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

575. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said to her, "If you die before me, I will wash you myself." Related by Ahmad, Ibn Mâjah and Ibn Hibbân graded it as <u>Sahîh</u>.

٥٧٦ ـــ وَعَـــنْ أَسْمَاءَ بِنْتَ عُمَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ فَاطِمَةَ - رَضِيَ اللَّهُ عَنْهَا - أَوْصَتْ أَنْ يُغَسِّلَهَا عَلَيٍّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - . رَوَاهُ الدَّارَقُطْنيُّ .

576. Asmâ' bint 'Umais (RAA) narrated that Fâ<u>ti</u>mah (RAA) (the daughter of the prophet (A) made a will that 'Alî (RAA) was to wash her when she dies.' Related by Ad-Dâraqutnî.

٧٧ = وَعَـــن بُـــرَيْدَةَ - فــــي قصَّة الْغَامدية الَّتِي أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِرَجْمِهَا فِي الزَّنَا - قَالَ : «ثُمَّ أَمَرَ بِهَا فَصُلَّيَ عَلَيْهَا وَدُفِنَتْ». رَوَاهُ مُسْلِمٌ .

577. Buraidah (RAA) reported concerning the story of the Ghâmidî woman, who was to be stoned by the order of the Prophet (due to committing adultery), 'Then the Messenger of Allâh gave his command concerning her (after her death), so he offered the funeral prayer for her, and she was then buried.' Related by Muslim.

٥٧٨ ــ وَعَنْ جَابِرٍ بْنِ سَمْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أُتِيَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ بِرَحُلٍ قَتَلَ نَفْسَهُ بِمَشَاقِصَ ، فَلَمْ يُصلُ عَلَيْهِ». رَوَاهُ مُسْلِمٌ .

578. Jâbir bin Saumrah (RAA) narrated, 'A man who killed himself with a broad-headed arrow, was brought to the Prophet , but he did not offer the funeral prayer for him.' Related by Muslim.

<sup>181-</sup> The Messenger of Allâh & did not offer prayer for him, as a punishment for what he did by committing suicide, and to dissuade others from doing the same.

٩٧٥ \_ وَعَــنْ أَبــي هُرُيْرُةَ - رُضِيُ اللَّهُ عَنْهُ - فِي قَصَّةِ الْمَرْأَةِ الَّتِي كَانَتْ تَقُمُّ الْمُســـجدَ ، فَسَأَلَ عَنْهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالُوا : مَاتَتْ ، فَقَالَ : «أَفَلاَ كُنْسَتُمْ آذَنْتُمُونِي ؟» فَكَأَنَّهُمْ صَغَّرُوا أَمْرَهَا ، فَقَالَ : «دُلُّونِي عَلَى قَبْرِهَا» ، فَدَلُّوهُ ، فَدَلُّوهُ ، فَدَلُّوهُ ، فَدَلُّوهُ ، فَدَلُّوهُ ، فَصَــلَّى عَلَيْهَا . مُتَّفَق عَلَيْه ، وزَادَ مُسْلِمٌ ، ثُمَّ قَالَ : «إِنَّ هَذِهِ الْقُبُورَ مَمْلُوءَةٌ ظَلْمَةً عَلَى أَهْمُ بِصَلاَتِي عَلَيْهِمْ».

579. Abû Hurairah (RAA) narrated regarding the story of the black woman who used to clean the mosque. The Messenger of Allâh saked about her, and he was told that she had died. He said to them, "Why didn't you inform me of her death?" It seems that they regarded her as an insignificant person. The Messenger of Allâh said, "Show me her grave." They showed him her grave and he offered the funeral prayer for her.' Agreed upon. Muslim added in his narration, Verily, those graves are full of darkness for those buried in them. Allâh, the Almighty, will illuminate them for their dwellers by my prayer over them"

٨٠ ــ وَعَنْ حُذَيْفَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 كَانَ يَنْهَى عَنِ النَّعْي». رَوَاهُ أُحْمَدُ ، وَالتَّرْمِذِيُّ وَحَسَّنَهُ .

580. <u>H</u>udhaifah (RAA) narrated that the Messenger of Allâh used to prohibit the announcement of anyone's death. Related by Ahmad and At-Tirmidhî, who rendered it <u>H</u>asan.

٥٨١ ـــ وَعَـــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ نَعَى النَّجَاشِيَّ فِي الْيَوْمِ الَّذِي مَاتَ فِيهِ ، وَخَرَجَ بِهِمْ إِلَى الْمُصَلَّى ، فَصَفَّ بِهِمْ ، وَكَبَّرَ عَلَيْهِ أَرْبَعًا». مُتَّفَقُ عَلَيْهِ .

581. Abû Hurairah (RAA) narrated that the Messenger of

<sup>182-</sup> The prohibition in this <u>Hadîth</u> does not refer to telling people about the death of a relative, a friend etc for people to console his family and offer funeral prayer for him. The Prophet is prohibiting what they used to do before Islâm, like calling out the news of the death of a great man showing pride over others or wailing and crying aloud for people to know that someone has died in that house.

Allâh  $\frac{1}{26}$  informed the people about the death of Negus the day he died. He took them out to the place of prayer, to offer the funeral prayer for him. He arranged them in rows, and made  $Takb\hat{i}r$  four times.' Agreed upon.

٥٨٢ ـــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ يَقُولُ : «مَا مِنْ رَجُلٍ مُسْلَمٍ يَمُوتُ ، فَيَقُومُ عَلَى جَنَازَتِهِ أَرَبَعُونَ رَجُلاً ، لاَ يُشْرِكُونَ بِاللَّهِ شَيْئًا ، إِلاَّ شَفَّعَهُمُ اللَّهُ فِيهِ». رَوَاهُ مُسْلِمٌ .

582. Ibn 'Abbâs (RAA) narrated, 'I heard the Messenger of Allâh say, "If a Muslim man dies and a group of forty people, who do not associate any one with Allâh, pray for him, Allâh will accept their intercession for him (by way of their Du â' for him." Related by Muslim.

٥٨٣ ـــ وَعَنْ سَمُرَةَ بْنِ جُنْدَبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «صَلَّيْتُ وَرَاءَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا ، فَقَامَ وَسْطَهَا». مُتَّفَقٌ عَلَيْهِ .

583. Samurah bin Jundub (RAA) narrated, 'I offered the funeral prayer behind the Prophet s for a woman who had died during child-birth and he (prayed) standing opposite the middle of her body.' Agreed upon.

٥٨٤ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «وَاللَّهِ لَقَدْ صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ عَلَى ابْنَيْ بَيْضَاءَ فِي الْمَسْجد». رَوَاهُ مُسْلَمٌ .

584. 'Â'ishah (RAA) narrated, 'By Allâh the Messenger of Allâh & offered funeral prayer in the mosque for the sons of Baidâ' (Sahl and Suhail).'183 Related by Muslim.

٥٨٥ ـــ وَعَـــنْ عَبْدِ الرَّحْمَٰنِ بْنِ أَبِي لَيْلَى قَالَ : «كَانَ زَيْدُ بْنُ أَرَفْمَ – رَضِيَ اللَّهُ عَـــنْهُ – يُكَـــبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا ، وَإِنَّهُ كَبَّرَ عَلَى جَنَازَة خَمْسًا ، فَسَأَلْتُهُ فَقَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُكَبَّرُهَا». رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ .

<sup>183-</sup> This <u>Hadith</u> is evidence that it is permissible to pray the funeral prayer in the mosque.

585. 'Abdur Rahmân bin Abî Laila (RAA) and 'Zaid bin Arqam (RAA) used to recite four *Takbîrât* when praying over the dead, but once he said it five times, so I asked him about it. He said to me, 'The Messenger of Allâh ' used to do so.' Related by Muslim and the four Imâms. 184

٥٨٦ ـــ وَعَـــنْ عَلِـــيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّهُ كَبَّرَ عَلَى سَهْلِ بْنِ حُنَيْفِ سِتًا ، وَقَالَ : إِنَّهُ بَدْرِيُّ». رَوَاهُ سَعِيدُ بْنُ مَنْصُورٍ ، وَأَصْلَهُ فِي الْبُخَارِيِّ .

586. 'Alî bin Abî Tâlib (RAA) narrated that he said six Takbîrât when he prayed over Sahl bin Hunaif, and he said (explaining his action), 'He is one of the Companions, who fought in the Battle of Badr.' Related by Sa´îd bin Mangûr.

٥٨٧ ـــ وَعَـــنْ حَابِرِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا وَيَقْرَأُ بِفَاتِحَةِ الْكِتَابِ فِي التَّكْبِيرةَ الأُولَى». رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ .

587. Jâbir (RAA) narrated that the Messenger of Allâh sused to say four *Takbîrât* over the dead, and would recite *al-Fâti<u>h</u>ah* in (after saying) the first (opening) *Takbîrât*.' Related by Ash-Shâfi'î with a weak chain of narrators.

٨٨٥ ــ وَعَـــنْ طَلْحَـــةَ بْنِ عَبْدِ اللّهِ بْنِ عَوْف – رَضِيَ اللّهُ عَنْهُ – قَالَ : «صَلَيْتُ خَلْـــفَ ابْـــنِ عَـــبَّاسٍ عَلَى جَنَازَهٍ ، فَقَرَأُ فَاتِحِةٌ الْكِتَابِ فَقَالَ : لِيَعْلَمُوا أَنَّهَا سُنَّةٌ». رَوَاهُ الْبُخَارِيُّ .

588. Talhah bin 'Abdullâh bin 'Auf (RAA) narrated, 'I offered a funeral prayer led by Ibn 'Abbâs. He recited al-Fâtihah and said, 'You should know that it (reciting al-Fâtihah) is a Sunnah of the Prophet .' Related by Al-Bukhârî.

٩ ٨ ٥ \_ وَعَنْ عَوْفِ بْنِ مَالِكِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى جَنَازَةٍ ، فَحَفِظْتُ مِنْ دُعَائِهِ : «اللَّهُمَّ اغْفِرْ لَهُ ، وَارْحَمَهُ ، وَعَافِهِ ،

<sup>184-</sup> Most scholars are of the opinion that they are only four Takbîrat.

وَاعْفُ عَنْهُ ، وَأَكْرِمْ نُزُلَهُ ، وَوَسِّعْ مَذْخَلَهُ ، وَاغْسِلْهُ بِالْمَاءِ وَالثَّلْجِ وَالْبَرَدِ ، وَلَقَّهِ مِنَ الْخَطَايَبِ عَنْهُ ، وَأَثْدِلُهُ دَارًا خَيْرًا مِنْ دَارِهِ ، وَأَهْلاً الْخَطَايَبِ كَمَا يُنَقَّى النَّوْبُ الإِبَيْضُ مِنَ الدَّنَسِ ، وَأَبْدِلْهُ دَارًا خَيْرًا مِنْ دَارِهِ ، وَأَهْلاً خَيْرًا مِنْ أَهْلِهِ ، وَأَدْخِلْهُ الْحَنَّةَ ، وَقِهِ فِتْنَةَ الْقَبْرِ ، وَعَذَابَ النَّارِ». رَوَاهُ مُسْلِمٌ .

Allâh soffered the funeral prayer, and I memorized this supplication (that he said for the deceased), "O Allâh! Forgive him and have mercy on him (on her). Grant him ease and respite. Make his resting place a noble one, and facilitate his entry. Wash him with the most pure and clean water, snow and hail. Purify him from sins as a white garment is cleansed of dirt. Give him in exchange a home better than his home (on earth) and a family better than his family. Grant him entrance to Paradise and protect him from the trials of the grave and the torture of Hell Fire." Related by Muslim.

٥٩٠ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى جَنَازَة يَقُولُ : «اللَّهُمَّ اغْفِرْ لِحَيِّنَا ، وَمَيِّتَنَا ، وَمَيِّتَنَا ، وَصَغِيرَنَا ، وَكَبِيرِنَا ، وَذَكَرِنَا ، وَأُنْتَانَا ، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مَنَّا وَشَــاهِدَنَا ، وَعَالِبِنَا ، وَصَغِيرِنَا ، وَكَبِيرِنَا ، وَذَكَرِنَا ، وَأُنْتَانَا ، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مَنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ ، اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُ ، وَمَنْ تَوَفَّيْتُهُ مِنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ ، اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُ ، وَلاَ تُصَلَّمَ ، وَالأَرْبَعَةُ .
 وَلاَ تُضَلَّنَا بَعْدَهُ». رَوَاهُ مُسْلَمٌ ، وَالأَرْبَعَةُ .

590. Abû Hurairah (RAA) narrated, 'When the Messenger of Allâh prayed a funeral prayer, he would say, "O Allâh! Forgive those of us who are alive, and those who are dead, those present and those absent, those who are young and those who are male and those who are female. O Allâh! Let those of us to whom You have given life, live in Islâm, and let those of us You take back die in a state of faith. O Allâh! Do not deprive us of our reward for (supplicating for) him, and cause us not to go astray after him." Related by Muslim and the four Imâms.

٩١ ٥ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ التَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا صَلَيْتُمْ عَلَى الْمَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حَبَّانَ . 591. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "If you offer the funeral prayer for a deceased person, supplicate Allâh sincerely for him." Related by Abû Dawûd.

97 ه \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَسْرِعُوا بِالْجَنَازَةِ ، فَإِنْ تَكُ صَالِحَةً فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ ، وَإِنْ تَكُ سِوَى ذَلِكَ فَشَرُّ تَضَعُونَهُ عَنْ رِقَابِكُمْ». مُتَّفَقٌ عَلَيْهِ .

592. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Hurry up when you carry the dead body (the janâzah), for if the deceased is righteous, you would be taking it to something better, and if he or she is an evil person, then you will be getting him or her off your necks.' Agreed upon.

٩٣ - وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَــنْ شَسهِدَ الْجَــنَازَةَ حَتَّى يُصَلَّى عَلَيْهَا فَلَهُ قيرَاطٌ ، وَمَنْ شَهدَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَــان» ، قِيلَ : وَمَا الْقِيرَاطَان ؟ قَالَ : «مِثْلُ الْجَبَلَيْنِ الْعَظِيمَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «حَتَّى تُوضَعَ فِي اللَّحْدِ».

593. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever accompanies the funeral (the dead body) until he performs the funeral prayer will have a reward equal to (one *Qirât*), and whoever accompanies the burial procession, will be doubly awarded (two *Qirât*)." They then asked, 'What is meant by the two *Qirât*?" He replied statement, 'Until it is buried.'

٩٤ \_ وَلَلْـبُخَارِيِّ أَيْضُــا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «مَنْ تَبِعَ جَنَازَةَ مُسْلِمٍ إِيمَانًا وَاحْتِسَابًا ، وَكَانَ مَعَهَا حَتَّى يُصَلَّى عَلَيْهَا ، وَيُفْرَغَ مِنْ دَفْنِهَا فَإِنَّهُ يَرْاطِ مِثْلُ جَبَلِ أُحُدٍ».

594. Al-Bukhârî related on the authority of Abû Hurairah,

"Whoever accompanies the funeral of a Muslim, seeking the reward only from Allâh, the Almighty, and he stays with it until he offers the funeral prayer and the burial is completed, will return back with two  $Qir\hat{a}t$ , each  $Qir\hat{a}t$  is equal to the mount of Uhud."

٥٩٥ ـــ وَعَـــنْ سَـــالِمِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ رَأَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبَا بَكْرِ وَعُمْرَ ، وَهُمْ يَمْشُونَ أَمَامَ الْحَنَازَةِ». رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَأَعَلَهُ النَّسَائِيُّ ، وَطَائِفَةٌ بِالإِرْسَالِ .

595. Sâlim narrated on the authority of his father (RAA) that he saw the Messenger of Allâh , Abû Bakr and Umar walking in front of a Funeral.' Related by the five Imâms, and Ibn Hibbân rendered it <u>Sahîh</u>.

٩٦ ٥ ـــ وَعَنْ أُمَّ عَطِيَّةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «تُهِينَا عَنِ اتَّبَاعِ الْحَنَائِزِ ، وَلَمْ يُعْزَمْ عَلَيْنَا». مُتَّفَقٌ عَلَيْهِ .

596. Umm 'Atiyah (RAA) narrated, 'We were forbidden to accompany funeral processions, but this prohibition was not mandatory for us.' Agreed upon.

٥٩٧ ـــ وَعَـــنْ أَبِـــي سَعِيد أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا رَأَيْتُمُ الْحَنَازَةَ فَقُومُوا ، فَمَنْ تَبِعَهَا فَلَا يَحْلِسْ حَتَّى تُوضَعَ». مُتَّفَقٌ عَلَيْهِ .

597. Abû Sa'îd (RAA) narrated that the Messenger of Allâh said, "Stand up when you see a funeral procession, and he who accompanies it should not sit down until the coffin is placed on the ground." Agreed upon.

٩٩٨ ــ وَعَـــنْ أَبِي إِسْحَاقَ : «أَنَّ عَبْدَ اللَّهِ بْنَ يَزِيدَ أَدْخَلَ الْمُيِّتَ مِنْ قِبَلِ رِحْلَي الْقَبْرِ ، وَقَالَ : هَذَا مِنَ السُّنَّةِ». أَخْرَجَهُ أَبُو دَاوُدَ .

598. Abû Ishaq narrated that 'Abdullah bin Yazîd placed a dead body in the grave from the side near the foot of the grave (i.e. the end which will accommodate the feet when the body is placed

in it).185 He then said, 'This is the Sunnah of the Prophet ...' Related by Abû Dawûd.

٥٩٩ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «إِذَا وَضَــعْتُمْ مَوْتَاكُمْ فِي الْقُبُورِ ، فَقُولُوا : بِسْمِ اللَّهِ ، وَعَلَى مِلَّةَ رَسُولِ اللَّهِ». أخْــرَجَةُ أَبْنُ حِبَّانَ ، وَأَتَّهُ اللَّهِ ، وَصَحَّحَةُ ابْنُ حِبَّانَ ، وَأَعَلَّهُ اللَّهِ عَلَى مِلَّةً وَسُولِ اللَّهِ عَلَى اللَّهُ عَلَيْهُ وَالنَّسَائِيُّ ، وَصَحَّحَةُ ابْنُ حِبَّانَ ، وَأَعَلَّهُ اللَّهُ اللَّهُ عَلَيْهُ إِلْوَقْفِ .

599. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "When you place your deceased in the grave, say, 'In the Name of Allâh, and in accordance with the tradition of Allâh's Messenger ." Related by Ahmad, Abû Dawûd and An-Nasâ'î.

٩٠٠ ـــ وَعَنْ عَائِشَةَ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كَسْرُ عَظْمِ الْمَيَّتِ كَكَسْرِهِ حَيَّا». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ عَلَى شَرْطٍ مُسْلِمٍ .

600. 'Â'ishah (RAA) narrated that the Messenger of Allâh \$\frac{\pi}{2}\$ said,"Breaking a deceased body's bones is exactly like breaking them when he is alive." Related by Abû Dawûd in accordance with the conditions of Muslim.

601. Ibn Mâjah added, on the authority of Umm Salamah (RAA), "with regards to it being a sin."

٦٠٢ ــ وَعَــنْ سَعْدِ بْنِ أَبِي وَقَاصِ قَالَ : «الْحَدُوا لِي لَحْدًا ، وَانْصِبُوا عَلَيَّ اللَّبِنِ نَصْبًا ، كَمَا صُنعَ بِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». رَوَاهُ مُسْلِمٌ .

602. Sa'd bin Abî Wqqâs (RAA) said (during his death illness) 'Make a *lahd* for me and cover it with un-burnt bricks, as you did with the grave of the Prophet .' Related by Muslim.

<sup>185.</sup> It is the Sunnah that the head of the deceased is placed first from the side of the foot of the grave, but if it is not easy to do so, then the body could be placed in the grave from any side.

٦٠٣ ـــ وَلِلْبَـــيَّهُقِيٍّ عَنْ جَابِرِ – رَضِيَ اللَّهُ عَنْهُ – نَحْوَهُ ، وَزَادَ : «وَرُفِعَ قَبْرُهُ عَنِ الأَرْض قَدْرَ شبْر». وَصَحَّحَهُ ابْنُ حَبَّانُ .

603. Al-Baihaqî transmitted on the authority of Jâbir (RAA) a similar narration and added, 'and his grave was raised one span from the ground. 186' Ibn Hibbân graded it as <u>Sahîh</u>.

٦٠٤ ـــ وَلِمُسْلِمٍ عَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُبْنَى عَلَيْهِ».
 أَنْ يُجصَّصَ الْقَبْرُ ، وَأَنْ يُقْعَدَ عَلَيْهِ ، وَأَنْ يُبْنَى عَلَيْه».

604. Jâbir (RAA) narrated that the Messenger of Allâh \$\%. prohibited whitening a grave with plaster, to sit on it or to build over it (such as a dome).' Related by Muslim.

٩٠٥ ـــ وَعَنْ عَامِرِ بْنِ رَبِيعَةَ - رَضِيَ اللهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى عَلَيْهِ فَلْأَتْ حَنْيَاتٍ وَهُوَ قَائِمٌ».
 رَوَاهُ الدَّارَقُطْنيُّ .

605. 'Âmir bin Rabî'ah (RAA) narrated that the Messenger of Allâh prayed over 'Uthmân bin Madh'ûn, then went to the grave and sprinkled three handfuls of soil while he was standing.' Related by Ad-Dâraqutnî.

٦٠٦ ــ وَعَـــنْ عُثْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ إِذَا فَرَغَ مِنْ دَفْنِ الْمَيِّتِ وَقَفَ عَلَيْهِ وَقَالَ : «اسْتَغْفِرُوا لأَخْيِكُمْ وَاسْأَلُوا لَهُ التَّنْبِيتَ ، فَإِنَّهُ الآنَ يُسْأَلُ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

606. 'Uthmân Ibn 'Affân (RAA) narrated, 'Whenever the Messenger of Allâh . finished the burial of the dead, he would stand by the grave and say, "Seek forgiveness for your brother and pray for him to be steadfast, because he is now being questioned." Related by Abû Dawûd. Al-Hâkim graded it as <u>Sahîh</u>.

<sup>186-</sup> The surface of the grave is raised one span above the ground so that its location can be known.

٣٠٧ ــ وَعَــنْ ضَــمْرَةُ بْــنِ حَبِيــب - رَضِيَ اللَّهُ عَنْهُ - أَحَد التَّابِعِينَ - قَالُ:
 «كَــانُوا يَسْتَحَبُّونَ إِذَا سُوِّيَ عَلَى الْمَيِّتُ قَيْرُهُ ، وَانْصَرَفَ النَّاسُ عَنْهُ ، أَنْ يُقَالَ عِنْدَ
 قَــبْرِهِ: يَا فُلاَنُ ، قُلْ لاَ إِلَهَ إِلاَّ اللَّهُ ، ثَلاَتْ مَرَّات ، يَا فُلاَنُ ، قُلْ رَبِّيَ اللَّهُ ، وَدِينِي الْإِسْلاَمُ ، وَنَهِينِي مُحَمَّدٌ». رَوَاهُ سَعِيدُ بْنُ مُنْصُورٍ مَوْقُوفًا .

607. Damrah bin Habîb (one of the Tâbi´în or the followers of the Companions) narrated, "They (the Companions that he met) recommended that after the grave is leveled and the people leave, that one should stand by the grave and say three times to the deceased, 'O so-and-so, say: "There is no god but Allâh", 'O so-and-so, say: "Allâh is my Lord, Islâm is my dîn (religion), and Muhammad is my prophet." Related by Sa´îd bin Mangûr.

608. At-Tabarânî related a similar <u>Hadîth</u> on the authority of Abû Umâmah on the authority of the Prophet \$\mathbb{E}.\frac{187}{2}\$

٩٠٩ ـــ وَعَـــنْ بُرَيْدَةَ بْنِ الْحُصَيْبِ الأَسْلَمِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُـــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كُنْتُ نَهَيْتُكُمْ عَنْ زِيَارَةِ الْقُبُورِ فَزُورُوهَا».
 رَوَاهُ مُسْلِمٌ ، زَادَ التَّرْمِذِيُّ : «فَإِنَّهَا تُذَكِّرُ الآخِرَةَ».

609. Buraidah bin Al-<u>Husaib</u> al-Aslamî (RAA) narrated that the Messenger of Allâh said, "I had forbidden you to visit graves, but now you may visit them." Related by Muslim. At-Tirmidhî added the following, "It will remind you of the Hereafter."

610. Ibn Mâjah added on the authority of Bin Mas'ûd, "And they make you (i.e. the graves) renounce this worldly life."

<sup>187-</sup> Imâm as San'ânî in 'Subul as Salâm' says that none of the scholars of Hadith doubt that this Hadith is fabricated (i.e. prompting the deceased after the burial), so it could not be traced back to the prophet . Imâm Ibnul Qaiyim said that the companions did not do this, as we see people doing nowadays, as standing by the side of the grave and talking to the dead.

٦١١ \_\_ وَعُـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ لَعَنَ زَائرَاتَ الْقُبُورِ». أَخْرَجَهُ التَّرْمذيُّ وَصَحَّحَهُ ابْنُ حَبَّانَ .

611. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ cursed the women who frequently visit the graves. Related At-Tirmidhî and Ibn <u>H</u>ibbân graded it as <u>Sah</u>î<u>h</u>

٦١٢ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ النَّائَحةَ وَالْمُسْتمعَةَ». أَخْرَجَهُ أَبُو دَاوُدَ .

612. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ cursed the wailing women and those who listen to them. Related by Abû Dawûd.

٣١٣ ـــ وَعَنْ أُمِّ عَطِيَّةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهَا – قَالَتْ : «أَخَذَ عَلَيْنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ أَنْ لاَ نَنُوحَ». مُتَّفَقٌ عَلَيْه .

613. Umm 'Atiyah (RAA) narrated that the Messenger of Allah & made us pledge that we will not wail. Agreed upon.

٦١٤ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَالَ : «الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِمَا نِيحَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ .

614. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "A dead person is tormented in his grave by the wailing for him." Agreed upon.

615. Al-Bukhârî and Muslim transmitted a similar narration on the authority of Al-Mughîrah bin Shu'bah.

٦١٦ ـــ وَعَـــنْ أَنْسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ بِنْتَا لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ تُدْفَنُ ، وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَالِسٌ عَنْدَ الْقَبْرِ ، فَرَأَيْتُ عَيْنَيْهِ تَدْمَعَانِ». رَوَاهُ البُحَارِيُّ .

616. Anas (RAA) narrated, 'I attended the burial of one of the

daughters of the Prophet . He was sitting by the side of the grave and his eyes were shedding tears.' Related by Al-Bukhârî.

٦١٧ ـــ وَعَـــنْ جَابِر - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَدْفَتُوا مَوْتَاكُمْ بِاللَّيْلِ إِلاَّ أَنْ تُضْطَرُّوا». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَأَصْلُهُ فِي مُسْلِمٍ ، لَكِنْ قَالَ : زَجَرَ أَنْ يُقْبَرَ الرَّجُلُ بِاللَّيْلِ ، حَتَّى يُصَلَّى عَلَيْهِ .

617. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "Do not bury your dead during the night unless you have to do so." Related by Ibn Mâjah. Muslim reported a similar narration, but Jâbir said in his narration, 'The Prophet disapproved that someone is buried at night, unless the funeral prayer has been offered for him.'

٦١٨ ــ وَعَــنْ عَــبْد الله بْنِ جَعْفَرِ - رَضِيَ الله عَنْهُ - قَالَ : لَمَّا جَاءَ نَعْيُ جَعْفَرٍ
 - حـــينَ قُتِلَ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «اصْنَعُوا لآلِ جَعْفَرٍ طَعَامًا ، فَقَدْ أَتَاهُمْ مَا يَشْغَلُهُمْ». أَخْرَجَهُ الْحَمْسَةُ إِلاَّ النَّسَائِيَّ .

618. 'Abdullâh Ibn Ja'far (RAA) narrated, 'When we received the news of Ja'far's death; when he was killed (in the Battle of *Mu'tah*), the Prophet said, "Prepare some food for the family of Ja'far, for what has befallen them is keeping them preoccupied." Related by the five Imâms except for An-Nasâ'î.

٩١٩ ــ وَعَنْ سُلَيْمَانَ بْنِ بُرِيْدَةَ عَنْ أبيه - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ الله صَلَى اللَّهُ عَلَيْهُ وَسَلَّمَ يُعَلِّمُهُمْ إِذَا خَرَجُوا إِلَى الْمَقَابِرِ أَنْ يَقُولُوا : «السَّلاَمُ عَلَيْكُمْ الله صَلَى اللهُ عَلَيْهِ وَسَلَّمَ يُعَلِّمُهُمْ إِذَا خَرَجُوا إِلَى الْمَقَابِرِ أَنْ يَقُولُوا : «السَّلاَمُ عَلَيْكُمْ أَهْ صَلَّمَ الله عَلَى - يَكُمْ لاَحِقُونَ ، أَهْ صَلْلَمُ اللهَ لَنَا وَلَكُمُ الْعَافِيَةَ». رواه مُسْلِمٌ .

619. Sulaimân bin Buraidah narrated on the authority of his father (RAA) that the Prophet staught us that when we visit graves we should say, "Peace be upon you, O believing men and women, O dwellers of this place. Certainly, Allâh willing, we will join you. We supplicate to Allâh to grant us and you well being." Related by Muslim.

٦٢٠ — وَعَنِ ابْنِ عَبَّاسِ قَالَ : مَرَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِقُبُورِ الْمَدينَةِ ،
 فَأَفْ بَلَ عَلَيْهِمْ بِوَجْهِهِ فَقَالَ : «السَّلاَمُ عَلَيْكُمْ يَا أَهْلَ الْقُبُورِ ، يَغْفِرُ اللهُ لَنَا وَلَكُمْ ،
 أَنْتُمْ سَلَفُنَا ، وَنَحْنُ بِالأَثْرِ». رَوَاهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

620. Ibn 'Abbâs (RAA) narrated, Once the Messenger of Allâh passed by some graves in Madînah. He turned his face toward them saying, "Peace be upon you, O dwellers of these graves. May Allâh forgive you and us. You have preceded us, and we are following your trail." Related by At-Tirmidhî, who graded it as <u>Hasan</u>.

٦٢١ ـــ وَعَـــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَسُبَّوا الأَمْوَاتَ ، فَإِنَّهُمْ قَدْ أَفْضُوا إِلَى مَا قَدَّمُوا». رَوَاهُ البُخَارِيُّ .

621. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, "Do not speak badly of the dead, they have already seen the result of (the deeds) that they sent on before them." Related by Al-Bukhârî.

٣٢٢ \_ وَرَوَى السِّئِّرْمِذِيُّ عَسنِ الْمُغِسيرَةِ - رَضِيَ اللَّهُ عَنْهُ - نَحْوُهُ ، لِكُنْ قَالَ : «فَتُؤْذُو ا الأَحْيَاءَ».

622. At-Tirmidhî related a similar narration on the authority of Al-Mughîrah bin Shu'bah, and he added, "Thus you will be offending the living (i.e. if you curse their dead)."

### كتَابُ الزَّكَاةِ

### Book IV: Zakâh Chapter I

٦٢٣ ــ عَنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ مُعُــاذًا إِلَى الْيُمُنِ - فَلْكَرَ الْحُديثَ - وَفِيهِ : «أَنَّ اللَّهَ قَدِ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤَخَذُ مِنْ أَغْنَيَائِهِمْ ، فَتَرَدُّ فِي فُقَرَائِهِمْ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

623. Ibn 'Abbâs (RAA) narrated that when the Prophet sent Mu'âdh ibn Jabal to Yemen (as governor), he said to him: "You are going to a people who are People of the Scripture. Invite them to testify that none has the right to be worshipped but Allâh and that I am His Messenger. If they obey you in this, then teach them that Allâh, the Glorious One, has enjoined five prayers upon them in every day and night (in twenty-four hours), and if they obey you in this, then tell them that Allâh has made it obligatory for them to pay Zakâh upon their assets and it is to be taken from the wealthy among them and given to the poor among them." Related by Al-Bukhârî.

٣٢٤ ــ وَعَــنْ أَنَــسِ أَنَّ أَبِـا بَكُمِ الصَّدِيقِ - رَضِيَ اللَّهُ عَنْهُ - كَتَبَ لَهُ : «هَذِه فَرِيضَةُ الصَّدَقَةِ الَّتِي فَرَضَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمُسْلَمِينَ ، وَالَّتِي فَرِيضَةُ الصَّدَقَةِ الْتِي فَرَضَهَا رَسُولُهُ ، فِي كُلِّ أَرْبَعِ وَعِشْرِينَ مِنَ الإبلِ فَمَا دُونَهَا الْغَنَمُ ؛ فِي كُلِّ أَرَبَعِ وَعِشْرِينَ إِلَى حَمْسٍ وَثَلاَئِينَ فَفِيهَا بِنْتُ مَحَاضٍ خَمْسُ وَتُلاَئِينَ فَفِيهَا بِنْتُ مَحَاضٍ أَنْ اللَّهِ مَ فَإِذَا بَلَغَتْ حَمْسًا وَعِشْرِينَ إِلَى حَمْسٍ وَثَلاَئِينَ إِلَى حَمْسٍ وَأَرْبَعِينَ أَنْ فَفِيهَا بِنْتُ مَحَاضٍ أَنْتَى ، فَإِذَا بَلَغَتْ سَتّا وَأَرْبَعِينَ إِلَى سَتّينَ فَفِيهَا حَقَّةٌ طَرُوقَةُ الْحَمَلِ ، فَإِذَا بَلَغَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَقَةٌ مَ فَإِذَا بَلَغَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَقَةٌ مَ فَإِذَا بَلَغَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَقَةٌ مَ فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَدَيَقَةٌ ، فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَدَدَعَةٌ ، فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ فَفِيهَا حَدَدَعَةٌ ، فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ وَمِاتَةٍ فَفِيهَا إِلَى عَمْسٍ وَسَبْعِينَ فَفِيهَا حَدَدَعَةٌ ، فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ إِلَى عِشْرِينَ وَمِاتَةٍ فَفِيهَا إِلَى عَمْسٍ وَسَبْعِينَ فَفِيها حَدَدَعَةٌ ، فَإِذَا بَلَعَتْ سِتّا وَسَبْعِينَ إِلَى عِشْرِينَ وَمِاتَةٍ فَفِيهَا إِلْكَى عِشْرِينَ وَمِاتَةٍ فَفِيهَا إِلْكَى عَشْرِينَ وَمِاتَةٍ فَفِيهَا إِلْكَى عَشْرِينَ وَمِاتَةٍ فَفِيهَا إِلْكَى عَشْرِينَ وَمِاتَةٍ فَفِيهَا إِلْكَى عَشْرِينَ وَمِاتَةٍ فَفِيهَا إِلَى الْكَيْنَ إِلَى عَشْرِينَ وَمِاتَةٍ فَفِيهَا إِلَى عَشْرِينَ وَمِاتَةً فَفِيهَا

حقّنَان طَرُوقَنَا الْحَمَلِ ، فَإِذَا رَادَتْ عَلَى عَشْرِينَ وَمَانَة فَفِي كُلِّ أَرْبَعِينَ بِنْتُ لَبُون ، وَفِي كُلِّ حَمْسِينَ حِقَّة ، وَمَنْ لَمْ يَكُنْ مَعَهُ إِلاَّ أَرْبَعٌ مِنَ الإبلِ فَلَيْسَ فِيهَا صَدَقَة إِلاَّ يَشَاءَ رَبُّهَا ، وَفِي صَدَقَة الْغَنَمِ فِي سَائِمَتِهَا إِذَا كَانَتْ أَرْبَعِينَ إِلَى عَشْرِينَ وَمِائَة شَاة ، فَإِذَا رَادَتْ عَلَى عَشْرِينَ وَمَائَة اللَّهُ مَا تَتَيْنِ فَفِيهَا شَاتَان ، فَإِذَا رَادَتْ عَلَى مَاثَيْنِ فَفِيهَا شَاتَان ، فَإِذَا رَادَتْ عَلَى مَاثَيْنِ إِلَى ثَلاَثْمَائَة فَفِيهَا ثَلاَثُ شَيَاه ، فَإِذَا رَادَتْ عَلَى مَاثَيْنِ إِلَى ثَلاَثُمائَة فَفِيهَا ثَلَاثُ مُعْتَمِع عَشْيَة الْمَعْمَة مَنْ أَرْبَعِينَ شَاة شَاةٌ وَاحِدَةً فَلَيْسَ فِيهَا صَدَقَةٌ ، إِلاَ يَشَاءَ رَبُّهَا ، وَلاَ يُحْمَعُ بَيْنَ مُتَفَرِّق وَلاَ يُفَرَّقُ أَيْنَ مُحْتَمِع خَشْيَةَ الصَّدَقَة وَمَا كَانَ أَنْ يَشَاءَ رَبُّهَا ، وَلاَ يَشَعَى الطَّدَقَة هَرِمَةً وَمَا كَانَ مَثَلَق مَنْ اللَّهُ مَنَاءَ رَبُّهَا ، وَلاَ يَشَاءَ رَبُّهَا ، وَلاَ يَشَاءَ رَبُّهَا ، وَلاَ يَحْرَبُحُ فِي الصَّدَقَة هَرِمَةً ، وَلاَ يَخْرَجُ فِي الصَّدَقَة هَرِمَة ، وَلاَ مُنْ مَثْنَا وَاللَّهُ مَنَاءَ وَمَا كَانَ الْعُشْسِر ، فَإِنْ لَمْ تَكُنْ إِلاَ تَسْعِينَ وَمَاتَةً فَلَيْسَ فِيهَا صَدَقَةٌ إِلاَ أَنْ يَشَاءَ رَبُّهَا ، وَمَنْ بَلَغَتْ عَنْدَه مِنَ الإبلِ صَدَقَةٌ الْمُعَلَّقُ ، وَلِيسَتْ عَنْدُه جَذَعَةٌ وَعَنْدَه حَقَةً ، فَإِنَّهَا تُقْبَلُ مِنْ الْجَذَعَة ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحَقَة ، وَلَيْسَتْ عَنْدُه مَنَ الْمُصَدَّقُ مُولَا مَنْهُ الْحَقَة ، وَعَيْدَه الْحَدَعَة ، فَإِنَهَا تُقْبَلُ مِنْهُ الْحَذَعَة ، وَيُسْتَ عَنْدُه مَن الإبلِ صَدَقَةً الْحَقَة ، وَيُسْتَ عَنْدَه الْحَدَعَة ، وَلَيْسَتْ عَنْدَه الْحَدَعَة ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحَدَعَة ، وَيُسْتَ عَنْدَه مُولَ الْمُصَدَّقُ وَ عَشْرِينَ درْهَمًا ، وَمَنْ بَلَغَتْ عَنْدَه وَيْشَةً أَوْ شَاتَيْنِ ». وَعَنْدَه الْجَذَعَة ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحَدَعَة ، وَيُسْتَعَ عَشْرِينَ درْهَمَا أَوْ شَاتَيْنِ ». وَعَنْدَه الْحَدَعَة ، فَإِنْها تُقْبَلُ مَنْهُ أَوْ شَاتُونَ اللَّهُ عَلْمُ الْمُ أَوْ شَاتَوْنَ فَلَا أَوْ شَاتُونَ الْ

Anas (RAA) narrated that Abû Bakr As-Siddîq (RAA) wrote him this letter, "This is the obligatory Zakah, which the Messenger of Allâh 🎉 made obligatory for every Muslim, and which Allâh, the Almighty had commanded him to observe. For each twenty-four camels, or less, their Zakah is to be paid as sheep; for every five camels, their  $Zak\hat{a}h$  is one sheep. When the amount of camels is between twenty -five to thirty- five, the due Zakâh is one she-camel 'bint makhâd' (a camel which is one year old and just starting the second year) or a male camel 'ibn labûn' (a young male camel which is two years old and already starting the third year). However, when the amount of camels reaches thirty-six, the due  $Zak\hat{a}h$  is a young she-camel 'bint  $lab\hat{u}n$ ' (a young female camel, which is two years old and already starting the third year). When they reach forty six to sixty camels, their due Zakâh is a she camel 'higgah' (which is three years old and starting the fourth). When they reach sixty-one to seventy-five, one 'Jaz'ah' (a four year old camel already starting its fifth year). When their number is between seventy-six to ninety camels, their due  $Zak\hat{a}h$  is two young she camels 'bint  $lab\hat{u}n$ '. When they are in the range between ninety-one to one hundred and twenty camels, the  $Zak\hat{a}h$  is two young she camels 'hiqqah'. If they are over a hundred and twenty camels, on every forty camels, one 'bint lab- $\hat{u}n$ ' is due. And for every fifty camels (over one hundred and twenty) a young she-camel 'hiqqah' is due. And anyone, who has got only four camels, does not have to pay  $Zak\hat{a}h$  unless he (the owner of the camels) wants to give something voluntarily.

Regarding the  $Zak\hat{a}h$  of grazing sheep, if they are between forty and one hundred and twenty, one sheep is due as  $Zak\hat{a}h$ . If they are between 120 and 200, two sheep are due. If they are between 200 and 300, three sheep are due. If they exceed three hundred sheep, then one sheep is due for every extra hundred grazing heads. If the grazing sheep are less than forty, (even if they are 39) then no  $Zak\hat{a}h$  is due on them, unless he (the owner of the camels) wants to give something voluntarily.

One should not combine (i.e. gather young animals together) or separate them for fear of paying  $Zak\hat{a}h$ . When there is a mixture of cattle shared between two partners, and  $Zak\hat{a}h$  is paid jointly between them, then they have to calculate it equally among them (depending on the share of each). Neither an old or a defective animal nor a male goat (a ram used for breeding) may be taken as  $Zak\hat{a}h$ , unless the  $Zak\hat{a}h$  collector wishes 189 to do so.

Concerning silver, the Zakâh paid is a quarter of a tenth for each 200 Dirhams. If the amount of silver is less than two hundred

<sup>188-</sup> One way of doing this is when three people, each of them has forty sheep (i.e. one sheep is due on each). So, when the  $Zak\hat{a}h$  collector comes, they put them together, which comes to 120 sheep., and they the due  $Zak\hat{a}h$  is only one sheep. Or if two partners have 201 sheep, which means that 3 sheep are due, then they divide them between them, for each to give only one sheep.

<sup>189-</sup> The Zakâh collector should not take this last type, (the breeding ram) as this will harm the owner, but he may take any of these three if he has no other choice, as the old and the defective animal is not to be taken as Zakâh anyway. The same Arabic word used in the Hadîth could be read as 'al-Mussaddiq', which is the owner or the one who pays Zakâh. In this case the meaning would be 'the male -goat' may not be taken unless the owner permits it to be taken as Zakâh, as it is from his best animals.

Dirhams (even if it is 190) then no Zakâh is to be paid for it, unless the owner wishes to do so.

If the number of camels reaches the number on which a jaz'ah (a four year old camel already starting its fifth year) is due as  $Zak\hat{a}h$ , but he only has a 'hiqqah' (a she camel which is three years old and starting the fourth), it should be accepted from him along with two sheep if they were available (to compensate for the difference) or twenty Dirhams. If on the other hand he has to offer a 'hiqqah' as  $Lak\hat{a}h$ , but he only has a  $Lak\hat{a}h$ , it is accepted from him, and the  $Lak\hat{a}h$  collector will then pay him the difference, which is twenty Dirhams or two female sheep.' Related by Al-Bukhârî.

٦٢٥ ـــ وَعَنْ مُعَاذِ بْنِ حَبِلٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَهُ إِلَى الْيَمَنِ ، فَأَمَرَهُ أَنْ يَأْخُذَ مِنْ كُلِّ ثَلاَثِينَ بَقَرَةٌ تَبِيعًا أَوْ تَبِيعَةً ، وَمِنْ كُلِّ أَرْبَعِينَ مُسِـــنَّةً ، وَمِنْ كُلِّ أَرْبَعِينَ مُسِـــنَّةً ، وَمِنْ كُلِّ حَالِمٍ دِينَارًا أَوْ عَدْلَهُ مُعَافِرِيًّا». رَوَاهُ الْحَمْسَةُ ، وَاللَّفْظُ لأَحْمَدَ ، وَسَــــنَّةً ، وَمِنْ كُلِّ حَالِمٍ دِينَارًا أَوْ عَدْلَهُ مُعَافِرِيًّا». رَوَاهُ الْحَمْسَةُ ، وَاللَّفْظُ لأَحْمَدَ ، وَصَحَّحَهُ الْبُنْ حَبَّانَ ، وَالْحَاكِمُ .

625. Mu'âdh bin Jabal (RAA) narrated, 'When the Messenger of Allâh sent him to Yemen, he commanded him to take a 'tabî' (young bull) or 'tabî'ah' (young cow, which is one year old), as Zakâh for every 30 cows. And for every forty cows, a musinnah (two year old cow) is due. Every non-Muslim who attained the age of puberty should pay one Dînâr or the equivalent from the Mu'â-firî clothes (made in a town in Yemen called Ma'âfir).'190 Related by the Five Imâms and the wording is from Ahmad.

٦٢٦ ـــ وَعَنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جده - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهٍ وَسَلَّمَ : «تُؤخذُ صَدَقَاتُ الْمُسْلِمِينَ عَلَى مِيَاهِهِمْ».
 رَوَاهُ أَحْمَدُ ، وَلَابِي دَاوُدَ أَيْضًا : «لا تُؤخذُ صَدَقَاتُهُمْ إِلاَّ فِي دُورَهِمْ».

626. 'Amro bin Shu'aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that the Messenger of Allâh said, "The Zakâh of the Muslims should be collected by their water trough." Related by Ah-

<sup>190-</sup> This is paid by the people of the Scripture (Christians and Jews) as Jizyah or tax, as they are under the protection of a Muslim government.

mad. Abû Dawûd also has the narration, "Their Zakâh should only be collected in their dwellings." 191

٣٢٧ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «لَـــيْسَ عَلَـــى الْمُسْلِمِ فِي عَبْده ، وَلاَ فَرَسِهِ صَدَقَةٌ». رَوَاهُ الْبُخَارِيُّ ، وَلِمُسْلِمٍ : «لَيْسَ فِي الْعَبْدِ صَدَقَةٌ إِلاَّ صَدَقَةَ الْفِطْرِ».

627. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "No Zakâh is to be paid on one's horse (that he rides) or one's slave." Related by Al-Bukhârî. Muslim also has the narration, "There is no Zakâh to be paid on one's slave, except for Zakât-ul-Fiţr (which is paid at the end of Ramadân, and a Muslim must pay it on behalf of all of those he is responsible for)."

٦٢٨ - وَعَسَنْ بَهْزِ بْنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدَّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «فِي كُلِّ سَائِمَةِ إِبِلِ : فِي أُرْبَعِينَ بِنْتُ لَبُون ، لاَ تُفَسَرَّقُ إِبِسِلْ عُسَنْ حِسَابِهَا ، مِنْ أَعْطَاهَا مُؤْتَجِرًا بِهَا فَلَهُ أَجْرُهَا ، وَمَنْ مُنعُهَا فَإِنَّا أَعْطَاهَا مُؤْتَجِرًا بِهَا فَلَهُ أَجْرُهَا ، وَمَنْ مُنعُهَا فَإِنَّا آخِدُوهَ اللَّهُ عَلَى مُنعَلَّا مَنْ عَزْمَات رَبِّنَا ، لاَ يَحِلُ لآلِ مُحَمَّد مِنْهَا شَيْءٍ». آخِذُوهَ المَّاوِيةُ مَنْ عَزْمَات رَبِّنَا ، لاَ يَحِلُ لآلِ مُحَمَّد مِنْهَا شَيْءٍ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَعَلَّقَ الشَّافِعِيُّ الْقَوْلُ بِهِ عَلَى ثُبُوته .

628. Bahz bin <u>Hakâm</u> narrated on the authority of his father, who reported on the authority of his grandfather (RAA) that the Messenger of Allâh said, "For every forty camels, one bint labân' (a young female camel which is two years old and already starting the third year), is due as Zahâh. No camel is to be separated from the rest of the camels (i.e. the jointly owned live stock as mentioned above). Whoever gives it willingly, seeking his reward from Allâh, will be rewarded. (However) if someone refrains from paying it, it will be taken from him

<sup>191-</sup> The point here is that the Zakâh collector goes to the payer in his dwelling to make it easier for him, or as some scholars said, that this is not to make the people bring their animals a long way from their water troughs or dwellings.

(by force) along with part of his property (as punishment), for it is a right of Allâh. None of it is lawful for the family of Muhammad ." Related by Ahmad, An-Nasâ'î, Abû Dawûd and Al-Hâkim rendered it <u>Sahîh</u>.

٦٢٩ \_ وَعَسَنْ عَلِسِيٍّ - رَضِسِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَانَسِتْ لَسِكَ مِائَتَا دَرْهَمْ - وَحَالَ عَلَيْهَا الْحَوْلُ - فَفِيهَا خَمْسَةُ وَسَسِلَّمَ ، وَلَيْسَ عَلَيْكَ شَيْءٌ خَتَّى يَكُونَ لَكَ عِشْرُونَ دِينَارًا ، وَحَالَ عَلَيْهَا الْحَوْلُ ، فَفِيهَا نَصْفُ دِينَارً ، فَمَا زَادَ فَبِحِسَابِ ذَلِكَ ، وَلَيْسَ فِي مَال زَكَاةٌ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ ». رَوَاهُ أَبُو دَاوُدَ ، وَهُو حَسَنٌ ، وَقَدِ اخْتُلِفَ فِي رَفْعِهُ .

629. 'Alî (RAA) narrated that the Messenger of Allâh  $\frac{1}{2}$  said, "When you possess two hundred Dirhams at the end of the year (if you still have all of them), five Dirhams are levied on them as Zakah. There is nothing upon you (to be paid) in gold, until it reaches (the value of) twenty Dînârs. When you possess twenty Dînârs, at the end of the year, then there is half a Dînâr levied on it (as Zakah). Any additional amount will be calculated in the same manner. No Zakah is to be paid on monetary holdings, until they have been owned for one year. Related by Abû Dawûd, who rendered it Hasan.

٦٣٠ ـــ وَلْلـــــتُـرْمِذِيِّ عَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – : «مَنِ اسْتَفَادَ مَالاً ، فَلاَ زَكَاةَ عَلَيْهِ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ». وَالرَّاجِحُ وَقْفُهُ .

630. Ibn 'Umar (RAA) narrated, 'Whoever earns any money, he is not liable to pay Zakâh, until the period of a year has passed (while still possessing the same amount of money).' Related by At-Tirmidhî.

٦٣١ ـــ وَعَـــنْ عَلَـــيَّ ـ رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَيْسَ فِي الْبَقَرِ الْعَوَامِلِ صَدَقَةٌ». رَوَاهُ أَبُو دَاوُدَ ، وَالدَّارَقُطْنِيُّ ، وَالرَّاحِحُ وَقُفُهُ أَيْضًا .

631. 'Alî (RAA) narrated that, 'There is no Zakâh to be paid on working cattle.' Related by Abû Dawûd and Ad-Dâraqutnî.

٦٣٢ — وَعَـــنْ عَمْرُو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ حَدَّهِ عَبْدِ اللَّهِ بْنِ عَمْرُو - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ وَلِيَ يَتِيمًا لَهُ مَالٌ ، فَلْيَتَّجِرْ لَهُ وَلاَ يَتْرُكُهُ حَتَّى تَأْكُلُهُ الصَّدَقَةُ». رَوَاهُ التِّرْمِذِيُّ ، وَالدَّارَقُطْنِيُّ ، وَإِسْنَادُهُ ضَعِيفٌ ، وَلَا يَتْرُكُهُ حَتَّى تَأْكُلُهُ الصَّدَقَةُ». رَوَاهُ التِّرْمِذِيُّ ، وَالدَّارَقُطْنِيُّ ، وَإِسْنَادُهُ ضَعِيفٌ ، وَلَهُ شَاهِدٌ مُرْسَلٌ عِنْدَ الشَّافِعِيِّ .

632. 'Amro bin Shu'aib narrated on the authority of his father who reported on the authority of his grand father, on the authority of 'Abdullâh bin 'Amro (RAA) that the Messenger of Allâh said, "One who becomes the guardian of an orphan, who owns property, must trade on his behalf and not leave it (saved and unused) until it is all eaten up by Zakâh (which is paid yearly)." Related by At-Tirmidhî and Ad-Dâraqutnî with a weak chain of narrators.

٦٣٣ ـــ وَعَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَتَاهُ قَوْمٌ بِصَدَقَتِهِمْ قَالَ : «اللَّهُمَّ صَلّ عَلَيْهِمْ». مُتَّفَقٌ عَلَيْهِ .

633. 'Abdullâh bin Abî Aufâ (RAA) narrated, 'Whenever a person came to the Messenger of Allâh & with their Zakah, he would say, "O Allâh! Send your blessings upon them." Agreed upon.

٣٣٤ ـــ وَعَـــنْ عَلِـــيِّ - رَضِـــيَ اللَّــهُ عَنْهُ - : «أَنَّ الْعَبَّاسَ سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَّهِ وَسَــلَّمَ فِـــي تَعْجـــيلِ صَدَقَتِهِ قَبْلَ أَنْ تَحِلَّ ، فَرَخَّصَ لَهُ فِي ذَلِكَ». رَوَاهُ التَّرْمِذِيُّ ، وَالْحَاكِمُ .

634. 'Alî (RAA) narrated that al-'Abbâs (RAA) asked the Messenger of Allâh **\$\overline{\pi}\$** to allow him to pay his Zakah before its due date, and he gave him permission to do so.' Related by At-Tirmidhî and Al-<u>H</u>âkim.

٦٣٥ ـــ وَعَـــنْ جَابِرِ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ فِيمَا دُونَ خَمْـــسِ أَوَاقٍ مِـــنَ الُّورَقِ صَدَقَةٌ ، وَلَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ مِنَ الإِبِلِ صَدَقَةٌ ، وَلَيْسَ فِيمَا هُونَ خَمْسَةٍ أَوْسُقٍ مِنَ التَّمْرِ صَدَقَةٌ». رَوَاهُ مُسْلِمٌ .

635. Jâbir (RAA) narrated that the Messenger of Allâh 🎉

said, "There is no Zakâh to be paid on less than five ounces of silver, less than five camels or less than five Awsuq<sup>192</sup> of dates." Related by Muslim.

٦٣٦ \_ وَلَــهُ مِنْ حَديثِ أَبِي سَعِيدِ - رَضِيَ اللَّهُ عَنْهُ - : «لَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقِ مِنْ تَمْرِ وَلاَ حَبُّ صَدَقَةٌ». وَأَصْلُ حَدِيثِ أَبِي سَعِيدٍ ، مُتَّفَقٌ عَلَيْهِ .

636. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, "There is no Zakâh to be paid on any amount of dates or grain less than five Awsuq." Agreed upon.

٦٣٧ ـــ وَعَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَّــيْهِ وَسَلَّمَ قَالَ : «فِيمَا سَقَتِ السَّمَاءُ وَالْعُيُونُ أَوْ كَانَ عَثَرِيًّا الْعُشْرُ ، وَفِيمَا سُقِيَ بِالنَّصْحِ تِصْفُ الْعُشْرُ ، رَوَاهُ الْبُحَارِيُّ ، وَلاَبِي دَاوُدَ : «إِذَا كَانَ بَعْلاً الْعُشْرُ ، وَفِيمَا سُقِيَ بِالنَّصْحِ تِصْفُ الْعُشْرِ ». وَلاَبِي دَاوُدَ : «إِذَا كَانَ بَعْلاً الْعُشْرُ ، وَفِيمَا سُقِيَ بِالسَّوَانِي أَوِ النَّصْحِ نِصْفُ الْعُشْرِ ».

637. Sâlim bin 'Abdullâh narrated on the authority of his father (RAA) that the Messenger of Allâh said, "A tithe is due as Zakâh, on every plant watered by heaven (rain water), springs, or underground water (i.e. watered without effort). While half a tithe is paid on what is watered by irrigation (i.e. machines are used)." Related by Al-Bukhârî. Abû Dawûd added in his narration, "When it is watered by underground water (close to the surface and keeping the land wet), a tithe is paid, but half a tithe is paid when the land is watered by wheels or animals."

٢٣٨ ـــ وَعَـــنْ أَبِي مُوسَى الأَشْعَرِيِّ وَمَعَاذِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُمَا : «لاَ تَأْخُذَا فِي الصَّدَقَةِ إِلاَّ مِنْ هَذِهِ الأَصْنَافِ الأَرْبَعَةُ : الشَّعِيرِ ، وَالْحِنْطَةِ ، وَالزَّبِيبِ ، وَالتَّمْرِ». رَوَاهُ الطَّبَرَانِيُّ ، وَالْحَاكِمُ .

638. Abû Mûsâ Al-Ash'arî and Mu'âdh (RAA) narrated that

<sup>192-</sup> A wasaq is equivalent to sixty sâ'as (a cubic measure of varying magnitude). Five Awsuq is equivalent to 50 Egyptian kaylah (one Kaylah is a dry measure for grain, 50 Kaylah is equivalent to 653 gm of wheat.

the Messenger of Allâh ﷺ said to them, "Do not take any Zahâh except on these four crops: barley, wheat, raisins and dates." Related by At-Tabarânî and Al-Hâkim.

٦٣٩ ـــ وَلِلدَّارَقُطْنِيِّ ، عَنْ مُعَاذِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «فَأَمَّا الْقَثَّاءُ ، وَالْبُطَّيخُ وَالـــرُّمَانُ وَالْقَصَـــبُ ، فَقَـــدْ عُفَــا عَـــنْهُ رَسُــولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». وَإِسْنَادُهُ ضَعِيفٌ.

639. Imâm Ad-Dâraqutnî related on the authority of Mu'âdh (RAA), 'As for cucumbers, watermelons, pomegranates, and sugarcane, the Messenger of Allâh has exempted them from Zakâh.' It is transmitted with a weak chain of narrators.

٦٤٠ ــ وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : فَإِنْ لَمْ تَدَعُوا الثَّلُثَ فَدَعُوا اللَّلُثَ فَدَعُوا اللَّهُ عَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ !
 الرُّبُعَ». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنُ مَاجَةً ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

640. Sahl bin Abî <u>Hathmah</u> (RAA) narrated, 'We were commanded by the Messenger of Allâh, 'Whenever you assess the amount of something, estimate the [Zakâh] and ignore onethird. If you do not, then leave(at least) one fourth." Related by the five Imâms, except for Ibn Mâjah.

٦٤١ ـــ وَعَنْ عَتَّابِ بْنِ أَسِيدِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَـــلَّمَ : أَنَّ يُخْـــرَصَ الْعِنْبُ كَمَا يُخْرَصُ النَّخْلُ ، وَتُؤْخَذَ زَكَاتُهُ زَبِيبًا».
 رَوَاهُ الْخَمْسَةُ ، وَفِيهِ انْقُطَاعٌ .

641. 'Attâb bin Usaid (RAA) narrated that the Messenger of Allâh & commanded us, "Grapevines are to be estimated exactly as palm trees, and its Zakâh is taken in raisins." Related by the five Imâms.

<sup>193-</sup> The point in ignoring a third or a fourth of the produce is a reprieve for property owners since they, their guests, and their neighbors need to eat from it. Also, the produce is exposed to birds feeding, passers-by taking some, and being blown away by the wind. An estimation of the total

٣٤٢ — وَعَــنْ عَمْــرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدَّهِ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ امْرَأَةٌ أَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمٌ ، وَمَعَهَا ابْنَةٌ لَهَا ، وَفِي يَدِ ابْنَتِهَا مَسَكَتَانِ مِنْ ذَهَب ، فَقَالَ نَهَا : «أَيَسُرُّكِ أَنْ يُسَوِّرَكِ ذَهَب ، فَقَالَ نَهَا : «أَيَسُرُّكِ أَنْ يُسَوِّرَكِ النَّهَ مَهَا يَوْمَ الْقَيَامَةِ سِوَارَيْنِ مِنْ نَارٍ ؟» فَالْقَتْهُمَا . رَوَاهُ الثَّلاَنَةُ ، وَإِسْنَادُهُ قَوِيٌّ ، وَصَحَّحَهُ الْحَاكِمُ مِنْ حَدِيثِ عَائِشَةً .

642. 'Amro bin Shu'aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that a woman came to the Messenger of Allâh accompanied by her daughter, who wore two heavy gold bangles. He said to her, "Do you pay Zakâh on them?" She said, 'No.' He then said, "Are you pleased that Allâh may put two bangles of fire on your wrist on the Day of Judgment?" She then threw them away. Related by the three Imâms with a strong chain of narrators.

٦٤٣ ـــ وَعَـــنْ أُمِّ سَـــلَمَةَ - رَضـــيَ اللَّهُ عَنْهَا - أَنَّهَا كَانَتْ تَلْبَسُ أَوْضَاحًا مِنْ ذَهَـــب فَقَالَتْ : يَمَا رَسُولَ اللَّهِ ، أَكَنْزٌ هُوَ ؟ قَالَ : «إِذَا أَدَّيْتِ زَكَاتُهُ فَلَيْسَ بِكَنْزٍ». رَوَاهُ أَبُو دَاوُدَ ، وَالدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

643. Umm Salamah (RAA) narrated that she was wearing golden ornaments and asked the Messenger of Allâh , 'Is it considered as a treasure?' He said, "If you pay the due Zakâh, then it is not considered as a treasure." Related by Abû Dawûd and Ad-Dâraqutnî.

٢٤٤ ـــ وَعَنْ سَمُرَةً بْنِ جُنْدَبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ عَلَمْ عَلَمْ اللَّهِ عَلَمَ عَلَمْ مَا أَمُرُنَا أَنْ تُخْرِجَ الصَّدَقَةَ مِنَ الَّذِي تُعِدُّهُ لِلْبَيْعِ». رَوَاهُ أَبُو ذَاوُدَ ، وَإِسْنَادُهُ لَيْنٌ .

644. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh , used to command us to pay Zakâh from (the goods) we had prepared for sale. Related by Abû Dawûd with a weak chain of narrators.

amount of  $Zak\hat{a}h$  on all the produce without excluding a third or a fourth of it, would affect the interests of the owners.

٩٤٥ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قال : «وَفِي الرِّكَازِ الْخُمُسُ». مُثَّفَقٌ عَلَيْه .

645. Abû Hurairah (RAA) narrated that the Messenger of Allâh  $\frac{1}{2}$  said, "One fifth is compulsory to be paid (as  $Zak\hat{a}h$ ) on buried treasure." Agreed upon.

7٤٦ — وَعَنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ - فِي كَنْزَ وَجَدَهُ رَجُلٌ فِي خَرِيَةٍ - : «إِنْ وَجَدْتُهُ فِي اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسُلِّهُ وَسَلَّمَ قَالَ - فِي كَنْزَ وَجَدْتُهُ فِي قَرْيَةٍ غَيْرِ مَسْكُونَةٍ فَفِيهِ وَقْفِي الرَّكَازِ الْخُمُسُ».

 قرْيَةٍ مَسْكُونَةٍ فَفِيهِ وَقْفِي الرَّكَازِ الْخُمُسُ».

 أخْرَجَهُ ابْنُ مَاجَةْ بِإِسْنَادِ حَسَنِ .

646. 'Amro bin Shu'aib narrated on the authority of his father, who reported on the authority of his grand father (RAA) that the Messenger of Allâh was asked about a treasure that was found by a man in some ruined land, and he said to him, "If you found it in an inhabited village, then you must advertise its having been found. However, if he found it in an uninhabited village, then on it and the rest of the discovered treasure one fifth is payable as Zahâh." Related by Ibn Mâjah with a reliable chain of narrators.

٦٤٧ ـــ وَعَـــنْ بِلاَلِ بْنِ الْحَارِثِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ أَخَذَ منَ الْمَعَادِنِ الْفَبَلِيَّةَ الصَّدَقَةَ». رَوَاهُ أَبُو دَاوُدَ .

647. Bilâl bin Al-<u>H</u>ârith (RAA) narrated that the Messenger of Allâh 裳 took Zakâh from the mines of Qabâliyah. 194

<sup>194-</sup> Qabâl is a location on the shores of the Red Sea, five days traveling from Madînah.

### بَسابُ صَدَقَسةِ الْفِطْسِ

# Chapter II: Sadaqatul Fitr (Zakâh paid at the end of Ramadân)

٣٤٨ — عَــنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَّهِ مَا عَلَى اللَّهُ وَالْحُرِّ ، عَلَى الْعَبْدِ وَالْحُرِّ ، وَالْمُسْدِهِ وَسَــلَّمَ زَكَاةَ الْفِطْرِ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ : عَلَى الْعَبْدِ وَالْحُرِّ ، وَالدَّكَــرِ ، وَالْكَبِيرِ ، مِنَ الْمُسْلِمِينَ ، وَأَمَرَ بِهَا أَنْ تُؤَدَّى قَبْلَ خُرُوجٍ النَّاسِ إِلَى الصَّلاَةِ». مُتَّفَقٌ عَلَيْهِ .

648. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh & enjoined the payment of one sâ' 195 of dates or one sâ' of barley as Zakât-ul-fiţr on every Muslim, slave or free, male or female, young or old, and he ordered that it be paid before the people went out to offer the 'Îd prayer.' Agreed upon.

٦٤٩ ـــ وَلابْـــنِ عَــــدِيِّ ، وَالدَّارَقُطْنِيِّ بِإِسْنَادٍ ضَعِيفٍ : «أَغْنُوهُمْ عَنِ الطَّوَافِ فِي هَذَا الْيَوْم».

649. Ibn 'Adî and Ad-Dâraqutnî also related on the authority of Ibn 'Umar but with a weak chain of narrators, "Save them (i.e. the poor) wondering around (in the markets and the streets asking for food) on that day."

١٥٠ \_ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُعْطِيهَا فِي زَمَن اللَّهُ عَنْهُ - قَالَ : «كُنَّا نُعْطِيهَا فِي زَمَن النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَاعًا مِنْ طَعَامٍ ، أَوْ صَاعًا مِنْ تَمْرٍ ، أَوْ صَاعًا مِنْ شَعِيرٍ ، أَوْ صَاعًا مِنْ أَقط». قَالَ أَوْ صَاعًا مِسْ زَبِيسب». مُستَّفَقٌ عَلَيْهِ . وَفِي رَوَايَةٍ : «أَوْ صَاعًا مِنْ أَقط». قَالَ أَبُو صَلَّى أَبُو سَعِيد : «أَمَّا أَنَا فَلا أَزَالُ أُخْرِجُهُ كَمَا كُنْتُ أَخْرِجُهُ فِي زَمَنِ رَسُولِ اللَّهِ صَلَّى اللهِ عَلَيْهِ وَسَعِيد : «أَمَّا أَنَا فَلاً أَزَالُ أُخْرِجُهُ كَمَا كُنْتُ أَخْرِجُهُ فِي زَمَنِ رَسُولِ اللَّهِ صَلَّى الله عَلَيْهِ وَسَلَّمَ ». وَلأبي دَاوُدَ : «لاَ أُخْرِجُ أَبَدًا إلاَّ صَاعًا».

650. Abû Sa'îd Al-Khudrî (RAA) narrated, "We used to offer it (Zakât-ul-fiţr) during the lifetime of the Prophet ﷺ as one sâ' of

<sup>195-</sup> One <u>Sâ</u> = approximately 3 kilograms.

food or one  $\underline{s}\hat{a}$  of dates, or one  $\underline{s}\hat{a}$  of barley or one  $\underline{s}\hat{a}$  of raisins." Agreed upon.

In another narration, "or one sâ' of dried cottage cheese." Abû Sa'îd then added, "As for myself, I would continue to give it as I used to give during the time of the Prophet 3." 196

Abû Dawûd also transmitted on the authority of Abû Sa´îd, "I would never give but a <u>s</u>â´."

١٥١ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفَطْرِ ، طُهْرَةً لِلصَّائِمِ مِنَ اللَّغْوِ ، وَالرَّفَثِ ، وَطُعْمَةً لِلْمَسَاكِينِ ، فَكَيْهِ وَسَلَّمَ قَبْلَ الصَّلَاةِ فَهِيَ صَدَقَةً مِنَ فَمَـنْ أَدَّاهَا بَعْدَ الصَّلاةِ فَهِيَ صَدَقَةً مِنَ الصَّدَقَاتِ». رَوَاهُ أَبُو دَاوُدَ ، وَأَبْنُ مَاجَةً ، وَصَحَّحَهُ الْحَاكِمُ .

651. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh  $\frac{1}{2}$  enjoined Zakat-ul-fitr on the one who fasts (i.e. fasted during the month of  $Rama\underline{d}an$ ) to purify him from any indecent act or speech and for the purpose of providing food for the needy. It is accepted as Zakah for the person who pays it before the  $\hat{I}d$  prayer and it is  $\underline{Sadaqah}$  (i.e. voluntary charity) for the person who pays it after the  $\hat{I}d$  prayer.' Related by Abû Dawûd and Ibn Mâjah and Al $\underline{H}ak$ im graded it as  $\underline{Sah}ah$ .

### بَسابُ صَدَقَدةِ التَّطَوُّعِ

#### Chapter III: <u>S</u>adaqat at-Ta<u>t</u>awu´or Voluntary Charity

٢٥٢ ــ عَــنْ أَبِــي هُرَيْــرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « سَبْعَةٌ يُظِلَّهُمُ اللَّهُ فِي ظِلِهِ يَوْمَ لاَ ظِلَّ إِلاَّ ظِلَّهُ » - فَذَكَرَ الْحَدِيثَ - وَفِيهِ :

<sup>196-</sup> The rest of this narration goes, "continued to do so until Mu'âwiyah came to us to perform pilgrimage; hajj or 'umrah. He then addressed the people from the pulpit and said to them: "I see that two mudds of wheat from Syria equals one sâ' of dates. The people accepted that." Abû Sa'îd then contended, "As for myself..."Two mudds are equivalent to half a sâ', that is why Abû Sa'îd insisted on giving one full sâ' as he used to do during the lifetime of the Prophet \$\%\$

«وَرَجُلُّ تَصَدُّقَ بِصَدَقَةٍ فَأَخْفَاهَا حَتَى لاَ تَعْلَمَ شِمَالُهُ مَا تُنْفِقُ يَمِينُهُ». مُتَّفَقٌ عَلَيْهِ .

652. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Seven people will be shaded by Allâh under His shade on the day when there will be no shade except His...." He mentioned the rest of the hadîth, which says, "and a man who gives charity so secretly that his left hand does not know what his right hand has given." (i.e. nobody knows how much he has given in charity). Agreed upon.

٦٥٣ ـــ وَعَـــنْ عُقْبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهُ صُلَّى اللَّبِهِ صَلَّى اللَّهِ صَلَّى اللَّهُ صَلَّى اللَّهُ صَلَّى اللَّهُ صَلَّى اللَّاسِ». اللَّـــهُ عَلَـــيْهِ وَسَــــلَّمَ يَقُولُ : «كُلُّ امْرِيءٍ فِي ظِلِّ صَدَقَتِهِ حَتَّى يُفْصَلَ بَيْنَ النَّاسِ». رَوَاهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

653. 'Uqbah Ibn 'Âmir (RAA) narrated, 'I heard the Messenger of Allâh say, "Everybody will be shaded by his <u>Sadaqah</u> (on the Day of Judgment) until it has been judged between the people." Related by Ibn <u>Hibbân</u> and Al-<u>Hâkim</u>.

٢٥٤ ــ وَعَـــنُ أَبِــي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَيُّمَا مُسْلِمٍ كَسَّا مُسْلِمًا ثُوبًا عَلَى عُرْي كَسَاهُ اللَّهُ مِنْ خُضْرِ الْجَنَّة ، وَأَيُّمَا مُسْلِمٍ أَطْعَمَ مُسْلِمًا عَلَى خُوعٍ أَطْعَمَهُ اللَّهُ مِنْ ثُمَارِ الْجَنَّةِ ، وَأَيُّمَا مُسْلِمٍ سَقَى مُسْلِمًا عَلَى ظَمَإٍ سَقَاهُ اللَّهُ مِنَ الرَّحِيقِ الْمَخْتُومِ». رَوَاهُ أَبُو دَاوُدَ ، وَفِي إِسْنَادِهِ لِينٌ .

654. Abû Sa'îd Al-Khudrî (RAA) narrated that the Prophet said, "Any Muslim who clothes another Muslim who is naked, Allâh will clothe him from the green garments of Paradise. Any Muslim who feeds a Muslim who is hungry, Allâh will feed him from the fruit of Paradise, and any Muslim who gives drink to a Muslim who is thirsty, Allâh will give him a drink from the Sealed Nectar." Related by Abû Dawûd with a weak chain of narrators.

<sup>197-</sup> This is the pure and clear white wine, which the believers will drink in Paradise, but it will not make them intoxicated as the wine of this worldly life. It is kept in sealed containers that will only be undone by their owners.

٥٥٥ ـــ وَعَـــنْ حَكِيمٍ بْنِ حِزَامٍ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «الْنَيْدُ الْعُلْيَا حَيْرٌ مِنَ الْيَدِ السُّفُلِي ، وَابْدَأْ بِمَنْ تَعُولُ ، وَحَيْرُ الصَّدَقَةِ مَا كَانَ عَــنْ ظَهْـــرِ غِنِّى ، وَمَنْ يَسْتَعْفِفْ يُعِفِّهُ اللَّهُ ، وَمَنْ يَسْتَعْنِ يُعْنِهِ اللَّهُ». مُتَّفَقَّ عَلَيْهِ ، وَاللَّهُ للبُحَارِيِّ .

Allâh said, "The upper hand is better than the lower hand (i.e. he who gives in charity is better than he who takes it). One should begin by giving to his dependents. And the best Sadaqah (charity) is that, which is given by a wealthy person (from the money which is left over after his expenses). And whoever abstains from asking others for some financial help, Allâh will provide for him and save him from asking others; Allâh will make him self-sufficient." Agreed upon and this version is of al-Bukhârî.

٣٥٦ \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قِيلَ يَا رَسُولَ اللّهِ ، أَيُّ الصَّدَقَةِ أَفْضَــلُ ؟ قَـَـالً : «جُهْـــدُ الْمُقِلُ ، وَابْدَأُ بِمَنْ تَعُولُ». أَخْرَجَهُ أَخْمَدُ ، وَأَبُو دَاوُدَ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَأَبْنُ حَبَّانَ ، وَالْحَاكِمُ .

656. Abû Hurairah (RAA) narrated that the Messenger of Allâh is was asked, 'Which kind of <u>Sadaqah</u> is better? He replied, "That which is given by one who does not have much property. And begin by giving to your dependents." Related by Ahmad, and Abû Dawûd. Ibn Khuzaimah, Ibn <u>Hibbân</u> and Al-<u>H</u>â-kim graded it as <u>Sah</u>îh.

٢٥٧ \_ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَصَـَدَّقُ بِهِ عَلَى «تَصَـَدَّقُ اللَّهِ ، عِنْدي دِينَارٌ ؟ قَالَ : «تَصَدَّقُ بِهِ عَلَى نَفْسكَ» ، قَالَ : عنْدي آخَرُ ، قَالَ : «تَصَدَّقُ بِه عَلَى وَلَدكَ» ، قَالَ : عنْدي آخَرُ ، فَالَ : عنْدي آخَرُ ، قَالَ : «تَصَـدَّقُ بِه عَلَى وَلَدكَ » ، قَالَ : «تَصَدَّقُ بِه عَلَى وَصَـكَ » ، قَالَ : «تَصَـدَّقُ بِه عَلَى زَوْجَتكَ » ، قَالَ : عَنْدي آخِرُ ، قَالَ : «تَصَدَّقُ بِه عَلَى خَادِمِكَ » ، قَالَ : «تَصَدَّقُ بِه عَلَى خَادِمِكَ » ، قَالَ : «تَصَدَّقُ بِه عَلَى وَوْجَتكَ » ، قَالَ : «تَصَدَّقُ بِه عَلَى وَوْجَتكَ » ، قَالَ : «تَصَدَّقُ بِه عَلَى وَوْدَ ، وَالنَّسَائِيُ ، وَالْحَاكِمُ ، وَالْحَاكِمُ .

657. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Give Sadaqah." A man then said, 'Allâh's Messenger, I have a Dînâr.' He then said to him, "Give it to yourself as Sadaqah." The man again said, 'I have another one.' The Messenger of Allâh said, "Give it to your children as Sadaqah." He said, 'I have another one.' He said, "Give it to your wife as Sadaqah." The man again said, 'I have another one.' The Messenger of Allâh said, "Give it to your servant as Sadaqah." He said, 'I have another one.' The Messenger of Allâh said, "You know better to whom you should give it." Related by Abû Dawûd and An-Nasâ'î. Ibn Hibbân and Al-Hâkim regarded it as Sahîh.

٢٥٨ ــ وَعَــنْ عَائِشَــةَ - رَضِــيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «إِذَا أَنْفَقَــت الْمَرْأَةُ مِنْ طَعَامِ بَيْتِهَا ، غَيْرَ مُفْسِدَة ، كَانَ لَهَا أَحْرُهُمَا بِمَا أَنْفَقَــت وَلِزَوْجِهَا أَحْرُهُ بِمَا اكْتَسَبَ ، وَلِلْحَازِنِ مِثْلُ ذَلِكَ ، لاَ يَنْقُصُ بَعْضُهُمْ مِنْ أَخْرِ بَعْضِ شَيْئًا». مُتَّفَقٌ عَلَيْه .

658. 'Â'ishah (RAA) narrated that the Messenger of Allâh said, "When a woman gives some of the foodstuff (which she has in her house) in charity without being extravagant (without being wasteful), she will receive the reward for what she has spent, and her husband will receive the reward because of his earning, and the keeper (if any) will be similarly rewarded. The reward of one will not decrease the reward of the others." Agreed upon.

٩٥٩ \_ وَعَــنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : حَاءَتْ زُيْنَبُ الْمُرَاّةُ اللهِ ، إِنَّكَ أَمَرْتَ الْيَوْمَ بِالصَّدَقَةِ ، وَكَانَ عِنْدِي الْبُسِنِ مَسْعُود ، فَقَالَت : يَا رَسُولَ اللهِ ، إِنَّكَ أَمَرْتَ الْيَوْمَ بِالصَّدَقَةِ ، وَكَانَ عِنْدِي حُلِيٌّ لِي ، فَأَرَدْتُ أَنْ أَتَصَدَّقَ بِهِ ، فَزَعَمَ ابْنُ مَسْعُودِ أَنَّهُ وَوَلَدَهُ أَحَقُ مَنْ أَتَصَدَّقَ بِهِ عَلَيْهِ وَسَلَّمَ : «صَدَقَ ابْنُ مَسْعُودٍ ، زَوْجُكِ وَوَلَدُكِ عَلَيْهِ وَسَلَّمَ : «صَدَقَ ابْنُ مَسْعُودٍ ، زَوْجُكِ وَوَلَدُكِ أَحَقُ مَنْ تَصَدَّقْت بِه عَلَيْهِمْ». رَوَاهُ الْبُحَارِيُّ .

659. Abû Sa'îd (RAA) narrated, Zainab the wife of Ibn Mas'ûd came along and said to the Prophet 3, "O Messenger of Allâh!

You have commanded us today to give <u>Sadaqah</u> (charity). I have some jewelry of mine and I wanted to give it as <u>Sadaqah</u>, but Ibn Mas'ûd claims that he and his children are the most entitled to my <u>Sadaqah</u>. (deserve it more than anyone else.)' The Messenger of Allâh <u>said</u>, "Ibn Mas'ûd is right. Your husband and your children are more deserving." Related by Al-Bukhârî.

٦٦٠ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «لاَ يَـــزَالُ الرَّحُلُ يَسْأَلُ النَّاسَ حَتَّى يَأْتِيَ يَوْمَ الْقِيَامَةِ ، وَلَيْسَ فِي وَجْهِهِ مُزْعَةُ لَحْمٍ». مُتَّفَقٌ عَلَيْهِ .

660. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "A man who persists in begging people to give him charity, will come on the Day of Judgment and there will not be a piece of flesh on his face." 198 Agreed upon.

٦٦١ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَـــنْ يَسْـــأَلِ الـــنَّاسَ أَمْوَالَهُمْ تَكَثَّرًا ، فَإِنَّمَا يَسْأَلُ حَمْرًا ، فَلْيَسْتَقِلُ أَوْ لِيَسْتَكُثِرْ». رَوَاهُ مُسْلِمٌ .

661. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "He who asks others to give to him in order to increase his own wealth, is akin to one who asks for live coals. He who wishes to have more, let him have it and he who wishes to have less, let him have it." Related by Muslim.

777 — وَعَسِنِ الزُّبَيْرِ بْنِ الْعَوَّامِ – رَضِيَ اللَّهُ عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لأَنْ يَأْخُذَ أَحَدُكُمُ حَبْلَهُ ، فَيَأْتِيَ بِحُزْمَة مِنَ الْحَطَبِ عَلَى ظَهْرِهِ ، فَيَبِيعَهَا ، فَتَكُفَّ بِهَا وَجْهَهُ ، خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ النَّاسَ أَعْطُوهُ أَوْ مَنَعُوهُ». رَوَاهُ الْبُحَارِيُّ .
فَيَكُفَّ بِهَا وَجْهَهُ ، خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ النَّاسَ أَعْطُوهُ أَوْ مَنَعُوهُ». رَوَاهُ الْبُحَارِيُّ .
662. Az-Zubair bin Al-'Awwâm (RAA) narrated that the Mes-

<sup>198-</sup> This hadith means to show the ugliness of begging where there is no real necessity, which makes the person loose his pride so that he comes on the Day of Judgment without any flesh on his face. The Qur'ân praised those whom one thinks they are rich because of their modesty, as they do not beg people in spite of their need. (2:274-275)

senger of Allâh said, "It is better for any of you to take a rope and cut some wood (from the forest) and carry it over his back and sell it, to preserve his dignity (as he is earning his own living), rather than ask a person for something and that person may give him or not." Related by Al-Bukhârî.

٦٦٣ ــ وَعَنْ سَمُرَةً بْنِ جُنْدَبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «الْمَسْأَلَةُ كَدُّ يَكُدُّ بِهَا الرَّجُلُ وَجْهَهُ ، إِلاَّ أَنْ يَسْأَلَ الرَّجُلُ سُلْطَانًا ، أَوْ فِي أَمْرٍ لاَ بُدَّ مِنْهُ». رَوَاهُ التَّرْمِذِيُّ ، وَصَحَّحَهُ .

663. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh said, "Begging is like a scratch with which a man scratches his face; unless one is asking the ruler or in the case of dire necessity." Related by at-Tirmidhî, who regarded it as <u>Sahîh</u>.

## بَابُ قَسْمِ الصَّدَقَاتِ

#### Chapter IV: Division of Zakâh (Zakâh recipients)

٦٦٤ ــ عَــنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَسَيْهِ وَسَلَّمَ : «لاَ تَحِلُّ الصَّدَقَةُ لِغَنِيُّ إلاَّ لِخَمْسَة : لِعَامِلٍ عَلَيْهَا ، أَوْ رَجُلِ اللَّهِ عَلَيْهِ مِنْهَا ، الشَّـتَوَاهَا بِمَالِهِ ، أَوْ غَارِ فِي سَبِيلِ اللَّهِ ، أَوْ مِسْكِينِ تُصُدِّقَ عَلَيْهِ مِنْهَا ، فَسُلَّةً مِنْهَا ، فَسُلَّةً مَنْهَا ، فَصَدِّحَةُ الْحَاكِمُ ، فَا أَوْ مَا مِنْهُ اللَّهُ مَا جَهْ ، وَصَحَّحَةُ الْحَاكِمُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهْ ، وَصَحَّحَةُ الْحَاكِمُ ، وَأَعلَ بِالإِرْسَالَ .

664. Abû Sa´îd Al-Khudrî narrated that the Messenger of Allâh said, "Zakâh is not allowed for the well-off person except for one of the following five: an administrator of Zakâh, a man who buys Zakâh holdings with his money, a person who is in debt, a fighter in the cause of Allâh, or a rich person who is given a present by a needy (miskîn) person which the latter had been given as Zakâh." Related by Ahmad, Abû Dawûd, Ibn Mâjah, and Al-Hâkim regarded it as Sahîh.

٦٦٥ \_ وَعَــنْ عُبَيْدِ اللَّهِ بْنِ عَدِيٍّ بْنِ الْخِيَارِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَجُلَيْنِ حَلَّنَاهُ أَنَّهُمَا أَتَيَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْأَلَانِهِ مِنَ الصَّدَقَةِ ، فَقَلَّبَ فِيهِمَا النَّظَرَ ، وَسَلَّمَ يَسْأَلانِهِ مِنَ الصَّدَقَةِ ، فَقَلَّبَ فِيهِمَا النَّظَرَ ، فَصَرَآهُمَا جَلْدَيْنِ ، فَقَالَ : «إِنْ شُئْتُمَا أَعْطَيْتُكُمَا ، وَلاَ حَظَّ فِيهَا لِغَنِيٍّ ، وَلاَ لِقَوِيٍّ فَصَرَآهُمَا جَلْدَيْنِ ، وَقَوَّاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ .

665. Ubaidullâh bin 'Adî bin Al-Khiyâr (RAA) narrated that two men told him that they had gone to the Messenger of Allâh saking him to give them something from the Zakâh money (as he was distributing it at that time). The Messenger of Allâh then looked them up and down and found them to be sturdy and strong. He then said to them, "If you desire, I shall give it to you, but this Zakâh is not for one who is rich, neither for the one who is strong and able to earn." Related by Ahmad, Abû Dawûd and An-Nasâ'î.

٦٦٦ ــ وَعَنْ قَبِيصَةَ بْنِ مُخَارِقِ الْهِلاَلِيُّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الْمَسْأَلَةَ لاَ تَحلُّ إِلاَّ لأَحَد ثَلاَنَة : رَجُلِ تَحَمَّلَ حَمَالَةً ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَهَا ، ثُمَّ يُمْسِكُ ، وَرَجُلٍ أَصَابَتْهُ خَائِحَةً اجْتَاحَتْ مَالَهُ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قَوَامًا مِنْ عَيْشِ ، وَرَجُلٍ أَصَابَتْهُ فَاقَةٌ حَتَّى يَقُومَ ثَلاَئَةً فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يَقُومَ ثَلاَئَةً مِنْ ذَوِي الْحِجَى مِنْ قَوْمِهِ : لَقَدْ أَصَابَتْ فُلاَنًا فَاقَةٌ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قَوْمَهُ : لَقَدْ أَصَابَتْ فُلاَنًا فَاقَةٌ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قَوْمَهُ : لَقَدْ أَصَابَتْ فُلاَنًا فَاقَةٌ ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ وَاللهُ عَلَى الْمَسْأَلَةُ مَا سَوَاهُنَّ مِنَ الْمَسْأَلَةَ يَا قَبِيصَةُ ، سُحْتٌ يَأْكُلُهُ صَاحِبُهُ سُحْتًا». وَاللهُ مُنْ الْمُسْلَمْ ، وَأَبُو دَاوُدَ ، وَابْنُ خُزْيَمَةَ ، وَابْنُ حَبَّانَ .

666. Qabîsah bin Mukhâriq Al-Hilâlî (RAA) narrated that the Messenger of Allâh said, "Asking for (the money of) Zakâh, is justified only for the following three: first, a man who is in debt: it is then permissible for him to receive [Zakâh] until his difficulty is resolved; second, a man who was struck by calamity, which destroyed his holdings, which also makes it permissible for him to receive [Zakâh] until he is in a position to earn his own living; and third, a man who has been reduced to poverty and three persons of caliber from among his people testify to his desperate circumstances. Such will receive until he finds a means of support for him-

self. Other than these cases, O Qabîsah, it is considered as taking suht (unlawful or harâm earnings), and the person receiving it (this Zakâh) will be consuming forbidden (unlawful) holdings." Related by Muslim, Abû Dawûd, Ibn Khuzaimah and Ibn Hibbân.

٦٦٧ ــ وَعَنْ عَبْد الْمُطَلِّبِ بْنِ رَبِيعَةَ بْنِ الْحَارِثِ قَالَ : قَالَ رَسُولُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ الصَّدَقَةَ لاَ تَنْبِغِي لآلِ مُحَمَّدٍ ، إِنَّمَا هِيَ أُوْسَاخُ النَّاسِ». وَفِي رِوَايَةٍ : «إِنَّهَا لاَ تَحِلُّ لِمُحَمَّدٍ وَلاَ لآلِ مُحَمَّدٍ». رَوَاهُ مُسْلِمٌ .

667. 'Abdul Muttalib bin Rabî'ah bin Al-Hârith narrated that the Messenger of Allâh said, "Indeed, Zakâh ought not to be given to the family of Muhammad s, it will be like giving them from the impurities of people." In another narration, "It is not lawful for Muhammad s." Related by Muslim.

٦٦٨ — وَعَـــنْ جُبَـــيْرِ بْنِ مُطْعَمٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : مَشَيْتُ أَنَا وَعُثْمَانُ بْنُ عَفْ - عَالَ : مَشَيْتُ أَنَا وَعُثْمَانُ بْنُ عَفْ اللَّهِ ، أَعْطَيْتَ بَنِي الْمُطَّلِبِ عَفْـــانَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُلْنَا : يَا رَسُولَ اللَّهِ ، أَعْطَيْتَ بَنِي الْمُطَّلِبِ مَـــنْ خُمُسِ خَيْبَرَ وَتَرَكْتَنَا ، وَنَحْنُ وَهُمْ بِمَنْزِلَةٍ وَاحِدَةٍ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّمَا بَنُو الْمُطَّلِبِ ، وَبَنُو هَاشِمٍ شَيْءٌ وَاحِدَةٍ ، وَقَاهُ البُحَارِيُّ .

668. Jubair bin Mut'am (RAA) narrated, "Uthmân Ibn 'Affân and I went to the Messenger of Allâh , and said to him, 'O Messenger of Allâh! You have given the family of Banû Al-Muttalib from the fifth of the war booty of Khaibar and left us out, while we and they are of the same status.' The Messenger of Allâh replied, "Banû Al-Muttalib and Banû Hâshim are one." Related by al-Bukhârî.

<sup>199-</sup> The Qur'ân described Zakâh in Sûrah at-Taubah (9:103) by saying: "Take Zakâh from their wealth in order to purify them." Zakâh is regarded as the act, which purifies the money of the people, as they give out the part, which if they had kept it, would be <u>harâm</u> for them to keep since Allâh ordered them to give it.

779 — وَعَسَنْ أَبِي رَافِعٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ رَجُلًا عَلَسِى الصَّدَقَةِ مِنْ بَنِي مَخْزُومٍ ، فَقَالَ لأَبِي رَافِعٍ : اصْحَبْنِي ، فَإِنَّك تُصيبُ مَلْهُ اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَسْأَلَهُ ، فَأَتَاهُ فِسَأَلَهُ ، مَا اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَسْأَلَهُ ، فَأَتَاهُ فِسَأَلَهُ ، فَقَالَ لا يَحِلُّ لَنَا الصَّدَقَةُ». رَوَاهُ أَحْمَدُ ، وَالنَّلاَئَةُ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حَبَّانَ .

669. Abû Râfi´ (RAA) narrated that the Messenger of Allâh , appointed a man from Banî Makhzûm to collect the Zakâh. The man said to Abû Râfi´, 'Accompany me so that you may get a share of it.' Abû Râfi´ replied, 'No! Not until I go to the Prophet and ask him.' He went to the Messenger of Allâh and asked him, and the Prophet replied, "The client (slave) of a certain tribe are like(the members of the tribe) themselves and Zakâh is not lawful for us." Related by Ahmad, the three Imâms, Ibn Khuzaimah and Ibn Hibbân.

٦٧٠ ــ وَعَنْ سَالِمٍ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُعْطِي عُمَر بْنَ الْخَطَّابِ الْعَطَاءَ ، فَيَقُولُ : أَعْطِهِ أَفْقَرَ مَلْ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُعْطِي عُمَر بْنَ الْخَطَّابِ الْعَطَاءَ ، فَيَقُولُ : أَعْطِهِ أَفْقَرَ مَسَنِّي ، فَيَقُولُ : ﴿ حُذْهُ فَتَمَوَّلُهُ ، أَوْ تَصَدَّقُ بِهِ ، وَمَا جَاءَكَ مِنْ هَذَا الْمَالِ ، وَأَنْتَ مَسْنِي ، وَلاَ سَائِل فَحُذْهُ ، وَمَا لاَ فَلاَ تُتْبِعُهُ نَفْسَكَ ». رَوَاهُ مُسْلِمٌ .

670. Sâlim bin 'Abdullâh bin 'Umar narrated on the authority of his father (RAA) that the Messenger of Allâh sused to give 'Umar bin Al-Khattâb something (some money), but he would say to him, 'Would you give it to a person, who is more needy than me?' The Messenger of Allâh swould then say to him, 'Take it. If you are given something from this property, without your having asked for it or being eager to receive it, and if you are not given, do not go and ask for it." Related by Muslim.

<sup>200-</sup> Abû Râfi´ was a slave of Al-´Abbâs the uncle of the Prophet 鸾, and he freed him at the time of the Caliphate of ´Alî (RAA).

## كتساب الصيام

#### **Book V: Fasting**

#### Chapter I

١٧١ - عَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «لاَ تَقَدَّمُـــوا رَمَضَانَ بِصَوْمٍ يَوْمٍ وَلاَ يَوْمَيْنِ ، إِلاَّ رَجُلُ كَانَ يَصُومُ صَوْمًا فَلْيُصْمُهُ». مُتَّفَقٌ عَلَيْه .

671. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "None of you should fast a day or two before the (beginning of the) month of Ramadân, unless it is a day on which one is in the habit of fasting (i.e. voluntary fasting that coincides with that day)." Agreed upon.

٦٧٢ — وَعَسَنْ عَمَّارِ بْنِ يَاسِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَنْ صَامَ الْيَوْمَ الَّذِي يُشَابِكُ فِيهِ فَقَدَ عَصَى أَبَا الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». ذَكَرَهُ الْبُخَارِيُّ تَعْلِيقًا ، وَصَحَّحَهُ ابْنُ حُزَيْمَةَ ، وَابْنُ حَبَّانَ .

672. 'Ammâr bin Yâsir (RAA) narrated, 'Whoever fasts the day of doubt<sup>201</sup> he has then disobeyed Abû al-Qâsim (the Prophet %).' Related by the five Imâms, and Ibn Khuzaimah and Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>.

٦٧٣ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْكُمْ عَلَيْكُمْ وَسَلَّمَ يَقُولُ : «إِذَا رَأَيْتُمُوهُ فَصُومُوا ، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا ، فَإِنْ غُمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ». مُتَّفَقٌ عَلَيْه .

وَلِمُسْلِمٍ : «فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدُرُوا لَهُ ثَلاَثِينَ».

<sup>201-</sup> It is the day that precedes Ramadân and people are not sure if it is the last day of Sha'bân or the beginning of Ramadân.

وَلِلْبُحَارِيِّ : «فَأَكْمِلُوا الْعِدَّةَ ثَلاَثِينَ».

673. Ibn 'Umar (RAA) narrated, 'I heard the Messenger of Allâh say, "Start fasting after you have seen it (i.e. the new crescent) and end the fast (at the end of the month) when you see it. If it is overcast and cannot be seen, then estimate its sighting (i.e. presume that Sha bân lasted for thirty days)." Agreed upon.

Muslim narrated, "If it is too overcast to be seen then presume that it (Sha'bân) lasted for thirty days."

In another narration by al-Bukhârî, "wait until thirty days of it (Sha'bân) have passed."

٣٧٤ ــ وَلَــهُ فِــي حَدِيـــثِ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلاَثِينَ».

674. Al-Bukhârî reported on the authority of Abû Hurairah, "Complete the days of Shabân as thirty days."

مَوَا عَــنِ ابْــنِ عُمَــرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «تَرَاءَى النَّاسُ الْهِلاَلَ ،
 فَأَخْــبَرْتُ النَّــبِيَّ صَـــلَى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنِّي رَأَيْتُهُ فَصَامَ ، وَأَمَرَ النَّاسَ بِصِيَامِهِ».
 رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ حِبَّانَ .

675. Ibn 'Umar (RAA) narrated, 'The people were trying to sight the new moon (of Ramadân) and when I reported to the Messenger of Allâh ﷺ that I had seen it, he fasted and commanded people to fast.' Related by Abû Dawûd, and Al-Hâkim and Ibn Hibbân graded it as Sahîh..

٣٧٦ \_ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ أَعْرَابِيًّا جَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَى عَلَى اللَّهُ وَسَلَّمَ فَقَالَ : ﴿أَتَشْهِدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ؟» قَالَ : عَلَمْ ، قَالَ : ﴿أَتَشْهِدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ؟» قَالَ : نَعَمْ ، فَالَ : «فَالَ : «فَالَ : «فَالَ : نَعَمْ ، فَالَ : نَعَمْ ، فَالَ : نَعَمْ ، فَالَ : «فَالَ : وَصَحَّحَهُ أَنْ مِصُومُوا غَدًا». رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ النَّسِ يَا بِلاَلُ ، أَنْ يَصُومُوا غَدًا». رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ النَّسَائَى إِرْسَالَهُ .

676. Ibn 'Abbâs (RAA) narrated, 'A Bedouin came to the Pro-

phet and said, 'I have sighted the crescent (of Ramadân). He then said to him, "Do you testify that there is none worthy of worship but Allâh?" The Bedouin said, 'Yes.' He asked him again, "Do you testify that Muhammad is the Messenger of Allâh?" The man replied, 'Yes.' The Messenger of Allâh thereupon said, "O Bilâl! Announce to the people to (start) fasting tomorrow." Related by the five Imâms. Ibn Khuzaimah and Ibn Hibbân graded it as Sahîh. An-Nasâ'î said that it is most probably Mursal (a Hadîth in which the link between the Successor (Tâbi'î) and the Prophet is missing.

7٧٧ — وَعَـــنْ حَفْصَـــةَ أُمِّ الْمُؤْمِنِينَ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ لَمْ يُبِيِّتْ الصِّيَامَ قَبْلَ الْفَحْرِ فَلاَ صِيَامَ لَهُ». رَوَاهُ الْحَمْسَةُ ، وَمَالَ التَّرْمِذِيُّ وَالنَّسَائِيُّ إِلَى يَبْحِيحِ وَقْفِهِ ، وَصَحَّحَهُ مَرْفُوعًا ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانَ .
وَلِلدَّارَقُطْنِيُّ : «لاَ صِيَامَ لِمَنْ لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ».

677. The mother of the believers, <u>Hafsah</u> (RAA) narrated that the Messenger of Allâh said, "Whoever does not form his intention to fast before Fajr, his fasting will not be accepted." Related by the five Imâms, but At-Tirmidhî and An-Nasâ'î consider it to be related by <u>Hafsah</u> and not connected to the Prophet s.

Imâm Ad-Dâraqutnî transmitted, "No fasting is accepted for one who does not form the intention (to fast) the night before." 202

٦٧٨ — وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : دَخَلَ عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ يَوْمٍ ، فَقَالَ : «هَلْ عِنْدَكُمْ شَيْءٌ ؟» قُلْنَا : لا ، قَالَ : «فَإِنِّي إِذَا صَائِمٌ ، ثُلِّمَا خَيْسُ ، فَقَالَ : «أَرِينِيهِ ، فَلَقَدْ أَصْبَحْتُ صَائِمًا» فَأَلَا : «أَرِينِيهِ ، فَلَقَدْ أَصْبَحْتُ صَائِمًا» فأَكَلَ : «أَرِينِيهِ ، فَلَقَدْ أَصْبَحْتُ صَائِمًا» فأَكُلَ . رَوَاهُ مُسْلِمٌ .

678. 'Â'ishah (RAA) narrated, 'One day the Messenger of Al-

<sup>202-</sup> Some scholars are of the opinion that one can form his intention once at the beginning of the month to fast for the whole month, instead of making this intention every night.

lâh ﷺ entered my house and said, "Is there anything here (to eat)?" I said, 'No.' He said, "I shall then be fasting (today)." Then he came to us another day and we said to him, 'Someone has offered us some <u>hais</u><sup>203</sup> as a gift.' He then said, "Show it to me. I had been fasting since this morning," and he ate from it (as it was a voluntary fast and not during the obligatory fasting of Ramadân). Related by Muslim.

679. Sahl bin Sa'd (RAA) narrated that the Messenger of Allâh said, "People will always be fine (on the right path, or following the Sunnah) as long as they hasten to break their fast (in Ramadân)."<sup>204</sup> Agreed upon.

680. Abû Hurairah (RAA) narrated, "The Messenger of Allâh said, "Allâh, the Most Exalted said: "Those among My servants, who hasten to break their fast, are the most beloved (or dearest) to Me." Related by at-Tirmidhî.

681. Anas (RAA) narrated that the Messenger of Allâh £ said, "Eat the suhûr (pre-dawn meal), for there are blessings in this meal." Agreed upon.

<sup>203-</sup> A kind of food made of dates, fat and dried cheese.

<sup>204-</sup> Abû Dawûd added the following in a similar narration, '... because the Jews and the Christians delay doing so. (i.e. breaking their fast).'

رَوَاهُ الْخَسْمَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ حِبَّانُ ، وَالْحَاكِمُ .

682. Sulaimân bin 'Âmir Ad-Dabbî (RAA) narrated that the Messenger of Allâh said, "When one of you is breaking his fast, he should eat some dates. If dates are not available, then break it with some water, for water is purifying." Related by the five Imâms. Ibn Khuzaimah, Ibn Hibbân and al-Hâkim graded it as Sahîh.

٦٨٣ - وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْوِصَالِ ، فَقَالَ رَجُلٌ مِنَ الْمُسْلِمِينَ : فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللَّهِ ؟ عَلَيْهِ وَسَلَّمَ عَنِ الْوِصَالِ ، فَقَالَ رَجُلٌ مِنَ الْمُسْلِمِينَ : فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللَّهِ ؟ فَقَالَ : «وَأَيْكُمْ مِثْلِي ؟ إِنِّي أَبِيتُ يُطْعِمُنِي رَبِّي وَيَسْقِينِي» ، فَلَمَّا أَبُوا أَنْ يَنْتَهُوا عَنِ الْوِصَالِ بِهِمْ يَوْمًا ، ثُمَّ يَوْمًا ، ثُمَّ رَأُوا الْهِلاَلَ ، فَقَالَ : «لَوْ تَأْخَرَ الْهِلاَلُ لَهُمْ حِينَ أَبُوا أَنْ يَنْتَهُوا . مُتَّفَقٌ عَلَيْهِ .

forbade us from practicing wisâl in fasting (i.e. fasting continuously without breaking one's fast in the evening or eating before the following dawn). So a man said to him, 'But you practice wisâl O Messenger of Allâh!' The Prophet Allâh replied, "Which one of you is like me? I am given food and drink during my sleep by Allâh." So when people refused to stop wisâl, the Prophet fasted day and night continuously along with them for a day and then another day and then they saw the crescent (of the new month of Shawwâl). The Prophet said to them, "If the crescent had not appeared, I would have made you fast for a longer period." That was a punishment for them because they refused to stop (practicing Wisâl). Agreed upon.

١٨٤ ــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَـــنْ لَمْ يَدَعْ قَوْلَ الزُّورِ وَالْعَمَلَ بِهِ وَالْجَهْلَ ، فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ». رَوَاهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَاللَّفْظُ لَهُ .

684. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever does not give up forged speech and

evil actions and does not abandon foolishness, Allâh is not in need of his leaving food and drink (i.e. Allâh will not accept his fasting)." Related by Al-Bukhârî and Abû Dawûd, and the wording is from the latter.

٥ ٦٨ ــ وَعَــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ يُقَــبِّلُ وَهُــوَ صَائِمٌ ، وَيُبَاشِرُ وَهُوَ صَائِمٌ ، وَلَكَنَّهُ كَانَ أَمْلَكَكُمْ لِإِرْبِهِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ ، وَزَادَ فِي رِوَايَةٍ : «فِي رَمَضَانَ».

685. 'Â'ishâh (RAA) narrated that the Messenger of Allâh would kiss and embrace (his wives) while fasting, for he had the most control of all of you over his desires.' Agreed upon and the wording is from Muslim, who added in a narration, 'In Ramadân.'

٣٨٦ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَهُوَ مُحْرَمٌ ، وَاحْتَجَمَ وَهُوَ صَائمٌ». رَوَاهُ الْبُخَارِيُّ .

686. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh had himself cupped while he was in a state of *Ihrâm*, and had himself cupped while he was fasting." Related by Al-Bukhârî.

٦٨٧ ــ وَعَنْ شَدَّادِ بْنِ أُوْسِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتَى عَلَى رَجُلِ بِالْبَقِيعِ وَهُـــوَ يَحْـــتَجِمُ فِي رَمَضَانَ ، فَقَالَ : «أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ». رَوَاهُ الْخَسْمَةُ إِلاَّ التِّرْمِذِيُّ ، وَصَحَّحَهُ أَحْمَدُ ، وَابْنُ حُزَيْمَةَ ، وَابْنُ حَبَّانَ .

687. Shaddâd bin Aus (RAA) narrated that the Messenger of Allâh accame across a man in Al-Baqî´ (in Madînah) who was having himself cupped in Ramadân, and said to him, "The one who cups and the one who is being cupped have both broken their fast." Related by the five Imâms except for At-Tirmidhî. Ahmad, Ibn Khuzaimah and Ibn Hibbân regarded it as authentic.<sup>205</sup>

<sup>205.</sup> The majority of scholars are of the opinion that cupping is allowed while fasting, as proved by the <u>hadîth</u> of Ibn 'Abbâs that is narrated at a period of time later than that of Shaddâd, as Ibn 'Abbâs accompanied the Prophet \*\* on his farewell pilgrimage. So, it was probably prohibited at

٦٨٨ - وَعَنْ أَنَسٍ بْنِ مَالِكَ قَالَ : أُوَّلُ مَا كُرِهَتْ الْحِجَامَةُ لِلْصَّائِمِ : أَنَّ جَعْفَرَ بْنَ أَبِسِي طَالِبِ احْتَجَمَ وَهُوَ صَّائِمٌ ، فَمَرَّ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَفْطَرَ هَذَانِ» ثُمَّ رَخَّصَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعْدُ فِي الْحِجَامَةِ لِلْصَّائِمِ ، وَكَانَ أَنَسٌّ يَخْتَجَمُ وَهُوَ صَائِمٌ . رَوَاهُ الدَّارَقُطْنِيُّ وَقَوَّاهُ .

688. Anas (RAA) narrated, 'The first time cupping was disliked for the one who is fasting was when Ja'far bin Abî Tâlib had himself cupped while fasting and the Messenger of Allâh accome across him and said, "Those two have broken their fast (meaning Ja'far and the man who was cupping him)." But later on the Prophet allowed cupping for the one who is fasting. Anas used to have himself cupped while he was fasting. Related by Ad-Dârautnî, who regarded it as a strong hadîth.

٦٨٩\_ وَعَـــنْ عَائِشَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهَا – ، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اكْتَحَلَ فِي رَمَضَانَ ، وَهُوَ صَائِمٌ . رَوَاهُ ابْنُ مَاجِهْ بِإِسْنَادٍ ضَعِيفٍ . وَقَالَ النِّرْمِذِيُّ : لاَ يَصِحُّ في هَذَا الْبَابِ شَيْءٌ».

689. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh applied kohl to his eyes while he was fasting.' Related by Ibn Mâjah with a weak chain of narrators. According to At-Tirmidhî, nothing authentic has been related from the Prophet concerning this issue, i.e. applying kohl, eye drops etc..to the eye while fasting.

٦٩٠ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَـــلَّمَ : «مَنْ نَسِيَ وَهُوَ صَائِمٌ ، فَأَكَلَ أَوْ شَرِبَ ، فَلْيُتِمَّ صَوْمَهُ ، فَإِنَّمَا أَطْعَمَهُ اللّهُ وَسَــــلّمَ : مُتَّفَقٌ عَلَيْهِ .

690. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, Whoever forgets that he is fasting, and eats or drinks is to complete his fast, as it was Allâh who fed him and gave him something to drink." Agreed upon.

the beginning during fasting, but later it was allowed, and it is only disliked if the person becomes weak due to cupping while fasting.

٦٩١ ـــ وَلِلْحَــاكِمِ : «مَـــنْ أَفْطَــرَ فِي رَمَطْنَانَ نَاسِيًا فَلاَ قَضَاءَ عَلَيْهِ وَلاَ كَفَّارَةَ». وَهُوَ صَحِيحٌ .

691. Al-<u>H</u>âkim transmitted on the authority of Abû Hurairah, "Whoever breaks his fast during Ramadân due to forgetfulness is not to make up for the day later or perform any expiation." It is a sound <u>h</u>adîth.

٢٩٢ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «مَـــنْ ذَرَعَهُ الْقَيْءُ فَلاَ قَضَاءَ عَلَيْهِ ، وَمَنْ اسْتَقَاءَ فَعَلَيْهِ الْقَضْاءُ». رَوَاهُ الْخَمَسَةُ ، وأَعَلَّهُ أَحْمَدُ ، وَقَوَّاهُ الدَّارَقُطْنِيُّ .

692. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever is overcome and vomits is not to make up for the day, but whoever vomits intentionally must make up the day." Related by the five Imâms.

٦٩٣ ــ وَعَــنْ جَابِـرِ بْنِ عَبْدِ اللّهِ - رَضِيَ اللّهُ تَعَالَى عَنْهُمَا - ، أَنَّ رَسُولَ اللّه صَـلّى اللّهُ تَعَالَى عَنْهُمَا - ، أَنَّ رَسُولَ اللّه صَـلّى اللّه عَلَيْهِ وَسَلَّمَ خُرُجُ عَامُ الْفَتْحِ إِلَى مُكَّةَ ، فِي رَمْضَانَ ، فَصَامَ حَتَّى بَلَغَ كَـرَاعَ الْغَمِيمِ ، فَصَامَ النَّاسُ ، ثُمَّ دَعَا بِقَدَحٍ مِنْ مَاءٍ فَرَفَعَهُ ، حَتَّى نَظَرَ النَّاسُ إِلَيْهِ ، كَسَرَاعَ الْغَمِيمِ ، فَصَامَ النَّاسُ ، ثُمَّ دَعَا بِقَدَحٍ مِنْ مَاءٍ فَرَفَعَهُ ، حَتَّى نَظَرَ النَّاسُ إِلَيْهِ ، فَشَرِبَ ، ثُمَّ قِيلَ لَهُ بَعْدَ ذَلِكَ : إِنَّ بَعْضَ النَّاسِ قَدْ صَامَ ، فَقَالَ : «أُولِئِكَ الْعُصَاةُ ، أُولِئِكَ الْعُصَاةُ ، أُولِئِكَ الْعُصَاةُ ».

693. Jâbir (RAA) narrated, 'The Messenger of Allâh aleft for Makkah during the year of the conquest (of Makkah) in Ramadân and he and the people with him fasted until he reached the valley of Kurâ 'Al-Ghamîm. He then called for a cup of water, which he elevated so that the people could see it, and then he drank. Afterwards, he was told that some people had continued to fast, and he then said, "Those are the disobedient ones!"

٦٩٤ ـــ وَفِي لَفْظ فَقِيلَ لَهُ : «إِنَّ النَّاسَ قَدْ شَقَّ عَلَيْهِمُ الصَّيَامُ ، وَإِنَّمَا يَنْتَظِرُونَ فِيمَا فَعَلْت ، فَدَعَا بِقَدَحٌ مِنْ مَاءٍ بَعْدَ الْعَصْرِ» فَشَرِبَ . رَوَاهُ مُسْلِمٌ .

694. In another narration, He was told that people are finding

it difficult to fast (during the journey) and they are waiting to see what the Prophet swill do. So he called for a cup of water after the 'Asr' (afternoon) prayer and drank it.' Related by Muslim.

٦٩٥ — وَعَــنْ حَمْزَةَ بْنِ عَمْرِو الأَسْلَمِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي أَجِدُ فِيَّ قُوَّةً عَلَى الصَّيَامِ فِي السَّنَّمَرِ ، فَهَلْ عَلَيَّ جُنَاحٌ ؟ فَقَالَ رَسُولُ اللَّهِ صَـلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «هِيَ رُخْصَةٌ مِنَ اللَّهِ ، فَمَنْ أَخَذَ بِهَا فَحَسَنّ ، وَمَنْ أَحَبُّ أَنْ يَصُـومَ فَـلاً جُـنَاحَ عَلَيْهِ مِنْ حَدِيثِ أَنْ يَصُـومَ فَـلاً جُـنَاحَ عَلَيْهِ». رَوَاهُ مُسْلِمٌ ، وَأَصْلُهُ فِي الْمُتَّفَقُ عَلَيْهِ مِنْ حَدِيثِ عَائِشَةً : أَنْ حَمْزَةَ بْنِ عَمْرِو سَأَلَ .

695. Hamzah bin 'Amro Al-Aslamî (RAA) narrated, 'I said to the Messenger of Allâh , 'O Messenger of Allâh! I find within me the strength to fast while traveling. Would there be any blame upon me if I were to do so?' The Messenger of Allâh said to him, "It is a concession from Allâh. Whoever takes it has done well. Whoever likes to fast, there is no blame upon him." Related by Muslim.

٦٩٦ ـــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «رُخِّصَ لِلشَّيْخِ الْكَبِيرِ أَنْ يُفْطِـــرَ وَيُطْعِـــمَ عَـــنْ كُلُّ يَوْمٍ مِسْكِينًا ، وَلاَ قَضَاءَ عَلَيْهِ». رَوَاهُ الدَّارَقُطْنِيُّ وَالْحَاكُمُ ، وَصَحَّحَاهُ .

696. Ibn 'Abbâs (RAA) narrated, 'An elderly man is permitted to break his fast, but he must feed a poor person daily, and he does not have to make up for it.' Related by Ad-Dâraqutnî and Al-Hâkim, who rendered it to be <u>Sahîh</u>..

٢٩٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : حَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : هَلَكُتُ يَا رَسُولَ اللَّهِ ، قَالَ : «وَمَا أَهْلَكَكَ ؟» قَالَ : وَقَعْتُ عَلَــى امْــرَأْتِي فِي رَمَضَانَ . فَقَالَ : «هَلْ تَحِدُ مَا تَعْتِقُ رَقْبَةٌ ؟» قَالَ : لاَ ، قَالَ : لاَ ، قَالَ : لاَ ، قَالَ : لاَ ، قَالَ : لاَ مَعْمُ هُوَيْنِ مُتَبَابِعَيْنِ ؟» قَالَ : لاَ ، قَالَ : «فَهَلْ تَحِدُ مَا تُطْعِمُ سِتِّينَ مِسْكِينًا ؟» قَالَ : لاَ ، قَالَ : هَوَيَلُمْ بِعَرَقِ فِيهِ سِتِّينَ مِسْكِينًا ؟» قَالَ : لاَ ، ثُمَّ جَلَسَ ، فَأْتِيَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِعَرَقٍ فِيهِ

تَمْــرٌ . فَقَــالَ ؛ «تَصَدَّقْ بِهَذِا» فَقَالَ ؛ أَعَلَى أَفْقَرَ مِنَّا ؟ فَمَا بَيْنَ لاَبَتِيْهَا أَهْلُ بَيْت أَحْــوَجُ إِلَيْهِ مِنَّا ، فَضَحِكَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَتَّى بَدَتْ أَنْيَابُهُ : ثُمَّ قَالَ : «اذْهَبْ فَأَطْعِمْهُ أَهْلَكَ». رَوَاهُ السَّبْعَةُ ، وَاللَّفْظُ لِمُسْلِمٍ .

Abû Hurairah (RAA) narrated that a man came to the 697. Messenger of Allâh sand said, "I am ruined O Messenger of Allâh!" The Messenger of Allâh 🎏 asked him, "What has ruined you?" The man replied, I had intercourse with my wife during the day in Ramadân(while fasting)." The Prophet said to him. "Are you able to free a slave?" The man said, 'No.' The Prophet 🥸 said, "Can you fast for two consecutive months?" He said, 'No.' The Prophet then asked him, "Can you provide food for sixty poor people?" He said, 'No.' Then the man sat down. A basket of dates was brought to the Prophet and he said to the man, "Give this as Sadaqah (voluntary charity)." The man said, "To someone who is poorer than us? There is no one in this city (Al-Madînah) who is in need of these dates more than us! The Prophet 灣 laughed until his molar teeth could be seen and said to the man, "Go and feed your family with these dates." Related by the seven Imâms and the wording is from Muslim.

٦٩٨ ـــ وَعَنْ عَائِشَةَ وَأُمَّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ ، عَلَيْهِ وَسَــلَمَ كَــانَ يُصْبِحُ جُنْبًا مِنْ حِمَاعٍ ، ثُمَّ يَغْتَسِلُ وَيَصُومُ». مُتَّفَقٌ عَلَيْهِ ، وَزَادَ مُسْلِمٌ فِي حَدِيثٍ أُمِّ سَلَمَةَ : «وَلاَ يَقْضِي».

698. 'Â'ishah and Umm Salamah (RAA) narrated, 'The Messenger of Allâh would rise in the morning (when it is already Fajr time) while he was Junub (in a state of major ritual impurity due to intercourse) on a day in Ramadân. He would then perform Ghusl and fast.' Agreed upon. In the narration of Muslim on the authority of Umm Salamah, 'And he would not make up for it (that day).'

٩٩٦ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ مَاتَ وَعَلَيْهِ صِيَامٌ صَامَ عَنْهُ وَلِيُّهُ». مُتَّفَقٌ عَلَيْهِ . 699. 'Â'ishah (RAA) narrated that the Messenger of Allâh  $\frac{1}{2}$  said, "Whoever dies while he still has some fasts to make up (of the days of  $Rama\underline{d}\hat{a}n$ ), then his heir (any of them) should fast on his behalf." Agreed upon.

### بَـــابُ صَـــوْمِ التَّطَـــوُّعِ، وَمَــا نُهِـــيَ عَـــنْ صَوْمِــهِ Chapter II: Voluntary Fasting and Forbidden Days to Fast

٧٠٠ ــ عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سُئِلَ عَنْ صَوْمٍ يَوْمٍ عَرَفَةً ، فَقَالَ : «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ وَالْبَاقِيَةَ» ، وَسُئِلَ عَنْ صَوْمٍ وَسُئِلَ عَنْ صَوْمٍ وَسُئِلَ عَنْ صَوْمٍ السَّنَةَ الْمَاضِيَةَ» ، وَسُئِلَ عَنْ صَوْمٍ وَسُئِلَ عَنْ صَوْمٍ الإِثْنَــيْنِ ، فَقَــالَ : «ذَلِــكَ يَوْمٌ وُلِدْتُ فِيهٍ ، وَبُعِثْتُ فِيهٍ وَأُنْزِلَ عَلَيَّ فِيهٍ».
 رَوَاهُ مُسْلِمٌ .

of Allâh was asked about fasting on the day of 'Arafah (the 9th of the month of Dhul Hijjah). He replied, "Fasting on the day of 'Arafah is an expiation for the preceding year and the following year." He was also asked about fasting on the day of 'Âshûrâ' (the 10th of the month of Muharram). He replied, "Fasting on the day of 'Âshûrâ' is an expiation for the preceding year." The Messenger of Allâh was also asked about fasting on Monday, and he replied, "This is the day on which I was born and the day on which I was sent (with the Message of Islâm) and the day on which I received revelation." Related by Muslim.

٧٠١ ــ وَعَنْ أَبِي أَيُوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَى عَنْهُ مِنْ شَوَّالٍ كَانَ كَصِيَامِ اللَّهِ مِنْ شَوَّالٍ كَانَ كَصِيَامِ اللَّهْرِ». رَوَاهُ مُسْلِمٌ .

701. Abû Aiyûb Al-Angârî (RAA) narrated that the Messenger of Allâh ﷺ said, "Whoever fasts during the month of Rama-

<u>d</u>ân and then follows it with six days of Shawwâl will be (rewarded) as if he had fasted the entire year." Related by Muslim.

٧٠٢ ـــ وَعَنْ أَبِي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّمَ اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا مِنْ عَبْد يَصُومُ يَوْمًا فِي سَبِيلِ اللَّهِ إِلاَّ بَاعَدَ اللَّهُ بِذَلِكَ الْيَوْمِ عَنْ وَجْهِهِ النَّارَ سَبْعِينَ خَرِيفًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

702. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh said, "No servant (of Allâh) fasts on a day (merely) for the sake of Allâh except that Allâh pushes the Hellfire seventy years further away from his face, due to fasting on this day." Agreed upon and the wording is from Muslim.

٧٠٣ ــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصُومُ ، وَمَا رَأَيْتُ اللَّهُ عَلَيْهِ وَسَلَّمَ يَصُومُ ، وَمَا رَأَيْتُ وَيُفْطِرُ حَتَّى نَقُولَ لاَ يَصُومُ ، وَمَا رَأَيْتُهُ فِي رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَكْمَلَ صِيَامَ شَهْرٍ قَطُّ إِلاَّ رَمَضَانَ ، وَمَا رَأَيْتُهُ فِي شَهْرٍ أَكْثَرَ مِنْهُ صِيَامًا فِي شَعْبَانَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

703. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh sused to fast until one would say, he never breaks his fast (i.e. he never stops fasting), and he would abandon fasting (at other times) until one would say that he never fasts. And I never saw the Messenger of Allâh saft fast for a complete month except for the month of Ramadân, and I never saw him fast in a month more than he did in the month of Sha'bân." Agreed upon and the wording is from Muslim.

٧٠٤ ـــ وَعَـــنُ أَبِـــي ذَرٌ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ - قَالَ : «أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ أَيَّامٍ : ثَلاَتَ عَشَرَةً ، وَأَرْبَعَ عَشَرَةً ، وَخَمْسَ عَشَرَةً ». رَوَاهُ النَّسَائِيُّ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِيَّانَ .

704. Abû Dharr (RAA) narrated that the Messenger of Allâh commanded us to fast for three days of every month; that is on the days of the full moon; the 13th, 14th, and 15th (of the lunar

month).' Related by An-Nasâ'î and At-Tirmidhî and rendered authentic by Ibn <u>H</u>ibbân.

٧٠٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «لا يَحِلُّ لِلْمَرْأَةِ أَنْ تَصُومَ وَزَوْجُهَا شَاهِدٌ إِلاَّ بِإِذْنِهِ». مُتَّفَقَ عَلَيْهِ ، وَاللَّفْظُ للبُخَارِيِّ ، زَادَ أَبُو دَاوُدَ : «غَيْرَ رَمَضَانَ».

705. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A woman is not to fast (even) for one day while her husband is present except with his permission." Agreed upon and the wording is from Al-Bukhârî'. Abû Dawûd's version states, "unless it is during Ramadân (then she does not need his permission as it is obligatory fasting)."

٧٠٦ ـــ وَعَـــنْ أَبِـــي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ صِبَامِ يَوْمَيْنِ : يَوْمِ الْفِطْرِ وَيَوْمِ النَّحْرِ». مُتَّفَقٌ عَلَيْهِ .

706. Abû Sa'îd Al-Khudrî (RAA) narrated. 'The Messenger of Allâh has prohibited fasting on two days; the day of Fitr (breaking the fast of Ramadân) and on the day of sacrifice (Îdul Adhâ).' Agreed upon.

٧٠٧ ـــ وَعَنْ نُبَيْشَةَ الْهُذَلِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وَشُرْبٍ ، وَذِكْرِ اللَّهِ - عَزَّ وَجَلًّ - ». رَوَاهُ مُسْلِمٌ .

707. Nubaishah Al-Hudhalî (RAA) narrated that the Messenger of Allâh said, "The days of Tashrîq (the three days following 'Îdul Ad-hâ, i.e. 11th, 12th and 13th of Dhul Hijjah) are days of eating, drinking and remembering (dhikr) of Allâh, the Most Great and Glorious." Related by Muslim.

٧٠٨ ـــ وَعَـــنْ عَائِشَةَ وَابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمْ - قَالاً : «لَمْ يُرَخَّصْ فِي أَيَّامِ التَّشْرِيقِ أَنْ يُصَمْنَ إِلاَّ لِمَنْ لَمْ يَجِدِ الْهَدْيَ». رَوَاهُ الْبُخَارِيُّ .

708. 'A'ishah and Ibn 'Umar (RAA) narrated, 'Nobody was

allowed to fast on the days of *Tashrîq* except for those, who could not afford the *Hadî* (sacrifice).' Related by Al-Bukhârî.

٧٠٩ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَالَ : «لاَ تَخُصُّوا لَيْلَةَ الْحُمُعَة بِقِيَامٍ مِنْ بَيْنِ اللَّيَالِي ، وَلاَ تَخُصُّوا يَوْمَ الْحُمُعَةِ بِصِيَامٍ
 مِنْ بَيْنَ الأَيَّامِ ، إِلاَّ أَنْ يَكُونَ فِي صَوْمٍ يَصُومُهُ أَحَدُكُمْ». رَوَاهُ مُسْلِمٌ .

709. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Do not single out Friday night (i.e. the night preceding Friday) among all the other nights for performing the night prayer. Also, do not single out Friday among other days for fasting, unless it coincides with the days one regularly fasts." Related by Muslim.

٧١٠ \_ وَعَــنْهُ أَيْضًـــا - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَصُومَنَّ أَحَدُكُمْ يَوْمَ الْحُمُعَةِ ، إِلاَّ أَنْ يَصُومَ يَوْمًا قَبْلَهُ ، أَوْ يَوْمًا بَعْدَهُ».
 مُتَّفَقٌ عَلَيْه .

710. Abû Hurairah, narrated that the Messenger of Allâh ﷺ said, "None of you should fast on Friday, unless he fasts together with the day before or the day after." Agreed upon.

٧١١ ــ وَعَنْهُ أَيْضًا - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «إذَا انْتَصَفَ شَعْبَانُ فَلاَ تَصُومُوا». رَوَاهُ الْخَسْمَةُ ، وَاسْتَنْكَرَهُ أَحْمَدُ .

711. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When it is the middle of Sha bân do not fast (until it is Ramadân)." Related by the five Imâms, but Imâm Ahmad declared it to be a weak narration.

٧١٢ ـــ وَعَنِ الصَّمَاءِ بِنْتِ بُسْرٍ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «لاَ تَصُـــومُوا يَوْمَ السَّبْتِ ، إلاَّ فِيمَا افْتَرَضَ عَلَيْكُمْ ، فَإِنْ لَمْ يَجِدُ أَحَدُكُـــمْ إلاَّ لِحَــاءَ عِنَب ، أَوْ عُودَ شَجَرَة فَلْيَمْضُغْهَا». رَوَاهُ الْخَسْمَةُ ، وَرِجَالَهُ يُقاتٌ ، إلاَّ أَنَّهُ مُضْطَرِبٌ ، وَقَدْ أَنْكَرَهُ مَالِكٌ ، وقال أَبُو دَاوُدَ : هُو مَنْسُوخٌ .

712. As-Samma' bint Busr (RAA) narrated that the Messen-

ger of Allâh said, "Do not fast on Saturday unless it is an obligatory fast. (Do not fast) even if you do not find anything (to eat) except for some grape peelings or the branch of a tree, in that case he should chew on it." Related by the five Imâms and its narrators are reliable. Imâm Mâlik disapproved this narration, and Abû Dawûd said that this narration is abrogated.<sup>206</sup>

٧١٣ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهَا - ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمُ كَــانَ أَكْثَرُ مَا يُصُومُ مِنَ الأَيَّامِ يَوْمُ السَّبْتِ ، وَيُومُ الأَحُدِ ، وَكَانَ يَقُولُ : «إِنَّهُمَا يَوْمُ النَّسَائِيُّ ، وَصَحَّحَهُ «إِنَّهُمَا يَوْمَ الْأَسَائِيُّ ، وَصَحَّحَهُ النَّسَائِيُّ ، وَصَحَّمَهُ ، وَهَذَّا لَفُطُهُ .

713. Umm Salamah (RAA) narrated, 'The Messenger of Allâh used to fast more often on Saturdays and Sundays than on the other days. He would say, "They are the 'ids of the polytheists, and I love to act contrary to what they do." Related by An-Nasâ'î and was rendered authentic by Ibn Khuzaimah, and the wording is his.

٧١٤ ــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ نَهَـــى عَنْ صَوْمٍ يَوْمٍ عَرَفَةَ بِعَرَفَةَ». رَوَاهُ الْخَسْمَةُ غَيْرَ التَّرْمِذِيِّ ، وَصَحَّحَةُ ابْنُ حُزَيْمَةَ ، وَالْحَاكَمُ ، وَاسْتَنْكَرَهُ الْعُقَيْلِيُّ .

714. Abû Hurairah (RAA) narrated that the Messenger of Allâh \$\mathbb{z}\$ forbade fasting on the day of \*Arafah\* for the one who is actually at \*Arafah\* (i.e. performing \$\mathbb{H}ajj\$). Related by the five Im-

Imâm As-San'ânî in'Subul As-Salâm,' says that probably Abû Dawûd says that it is abrogated, because he is referring to the following narration of Umm Salamah, who narrated that the Messenger of Allâh sused to often fast on Saturdays and Sundays. Imâm At-Tirmidhî said that what is disli-ked here is for a person to exclusively choose Saturday as a day of fasting, as it is the day that the Jews honor. Anyway, most scholars said that it is disliked to fast on Saturday by itself due to the above mentioned Ahâdîth, except for Imâm Mâlik, who said that it is permissible to fast on Saturday by itself, but the hadîth of As-Sammâ' is evidence against his opinion.

âms except for At-Tirmidhî. Ibn Khuzaimah and al- $\underline{H}$ âkim graded it as  $\underline{Sah}\hat{th}$ .

٧١٥ \_ وَعَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لَا صَامَ مَنْ صَامَ الأَبَدَ». مُتَّفَقٌ عَلَيْه .

715. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "May he, who perpetually fasts (without a break) never fast."207 Agreed upon.

716. Muslim narrated on the authority of Abû Qatâdah, "May he not fast or break his fast."

### بَــابُ الإِعْتِكَــافِ وَقِيَــامِ رَمَضَــانَ pter III: I'tikâf <sup>208</sup> and Night pra

Chapter III: I'tikâf <sup>208</sup> and Night prayer (Tahajjud) in Rama<u>d</u>ân

٧١٧ ــ عَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ قَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ» مُتَّفَقٌ عَلَيْهِ .

717. Abû Hurairah narrated that the Messenger of Allâh said, "Whoever prays during the night in Ramadân out of

<sup>207-</sup> The Prophet \$\mathbb{K}\$ is probably rebuking the one who fasts continuously by making this  $du'\hat{a}'$  (supplication) against him, meaning to stop him from doing so. Or it could probably mean that this person will not be rewarded for this fast, as he is acting contrary to the Sunnah of the Prophet \$\mathbb{K}\$ who prohibited fasting on \$\hat{l}d\$ days and the other days mentioned above.

<sup>208-</sup> I'tikâf in this context means remaining in a mosque (preferably a congregational mosque) for a certain period of time with the intention of remaining in seclusion from worldly matters, and keeping oneself busy with acts of worship such as praying, fasting, reciting Qur'ân, dhikr etc. In other words one devotes himself purely to the worship of Allâh for that period of time, with the intention of getting closer to Allâh, the Almighty. It could be performed in Ramadân (which is recommended during the last ten days of the month) or at other times.

sincere faith and seeking its reward from Allâh, will have all of his previous sins forgiven." Agreed upon.

٧١٨ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا دَخَلَ الْعَشْرُ - أَيِ الْعَشْرُ الأَخِيرَةُ مِنْ رَمَضَانَ - شَدَّ مِئْزَرَةُ ، وَأَحْيَا لَيْلَهُ ، وَأَخْيَا لَيْلَهُ ، وَأَيْقَظَ أَهْلَهُ». مُتَّفَقٌ عَلَيْهِ .

718. 'Â'ishah (RAA) narrated, 'With the start of the last ten days of Ramadân, the Messenger of Allâh used to tighten his waist belt (i.e. keep away from his wives) and used to stay up praying all night, and he would also wake his wives(to pray and recite Qur'ân etc..)." Agreed upon.

٧١٩ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَعْتَكَفُ الْعَشْـــرَ الأَوَاخِرَ مِنْ رَمَضَانَ ، حَتَّى تَوَفَّاهُ اللَّهُ - عَزَّ وَجَلَ - ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ». مُتَّفَقٌ عَلَيْهِ .

719. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh  $\not\cong$  used to perform  $I'tik\hat{a}f$  during the last ten days of  $Rama\underline{d}\hat{a}n$  until he died. Then his wives used to perform  $I'tik\hat{a}f$  after his death.' Agreed upon.

٧٢٠ ـــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ أَنْ يَعْتَكَفَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا
 أَرَادَ أَنْ يَعْتَكَفَ صَلَّى الْفَجْرَ ثُمَّ دَخَلَ مُعْتَكَفَهُ». مُتَّفَقَ عَلَيْه .

720. 'Â'ishah (RAA) narrated, "Whenever the Messenger of Allâh intended to make I'tikâf, he would pray the morning prayer and then he would enter the place of his I'tikâf (i.e. the place, which he had prepared for his I'tikâf inside the mosque)." Agreed upon.

٧٢١ ـــ وَعَـــنْهَا - رَضِيَ اللَّهُ عَنْهَا - فَالَتْ : «إِنْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَيُدْخِلُ عَلَيَّ رَأْسَهُ - وَهُوَ فِي الْمَسْجِدِ - فَأَرَجِّلُهُ ، وَكَانَ لاَ يَدْخُلُ الْبَيْتَ إِلاَّ لحَاجَة ، إِذَا كَانَ مُعْتَكَفًا». مُتَّفَقٌ عَلَيْه ، وَاللَّفُظُ للْبُخَارِيِّ .

721. 'Â'ishah (RAA) narrated, The Messenger of Allâh 🎉 used

to put his head into (the window of my house) while he was in the mosque (performing  $I'tik\hat{a}f$ ) and I would comb his hair. When he was in  $I'tik\hat{a}f$  he would not enter the house except for some need." Agreed upon and the wording is from Al-Bukhârî'.

٧٢٧ ـــ وَعَــنْهَا قَالَـــتْ : «السُّنَّةُ عَلَى الْمُعْتَكِفِ أَنْ لاَ يَعُودَ مَرِيضًا ، وَلاَ يَشْهَدَ جَنَازَةٌ ، وَلاَ يَمَسُّ امْرَأَةً ، وَلاَ يُبَاشِرَهَا ، وَلاَ يَخُرُجُ لِحَاجَة إِلاَّ لِمَا لاَ بُدَّ لَهُ مِنْهُ وَلاَ اعْتِكَافَ إِلاَّ فِي مَسْجِدٍ جَامِعٍ». رَوَاهُ أَبُو دَاوُدَ ، وَلاَ بَأْسَ اعْتِكَافَ إِلاَّ فِي مَسْجِدٍ جَامِعٍ». رَوَاهُ أَبُو دَاوُدَ ، وَلاَ بَأْسَ بِرِجُالِهِ إِلاَّ أَنَّ الرَّاجِعُ وُقْفُ أَخِرِهِ .

722. 'Â'ishah (RAA) narrated, 'It is Sunnah for the one performing I'tikâf not to visit the sick, attend a funeral, or touch his wife (with sexual desire), nor have sexual intercourse with her. He should also not go out (of the mosque) except for an extreme necessity, and no I'tikâf is accepted without fasting, 209 or without being in a congregational mosque (where Friday prayer is performed).' Related by Abû Dawûd with an acceptable chain of narrators, but scholars say that the last part (starting: 'no I'tikâf is accepted...) is most probably the saying of 'Â'ishah (RAA), i.e. Hadîth Mauqûf (i.e. that which the companion does not connect to the Prophet 'E) and it is not the saying of the Prophet E himself.

٧٢٣ ـــ وَعَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «لَـــيْسَ عَلَى الْمُعْتَكِفِ صِيَامٌ إِلاَّ أَنْ يَجْعَلَهُ عَلَى نَفْسِهِ». رَوَاهُ الدَّارَقُطْنِيُّ، وَالْحَاكِمُ ، وَالرَّاجِحُ وَقْفُهُ أَيْضًا .

723. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "The one who is performing I'tikâf does not have to fast unless he obliges himself to do so." Related by ad-Dâraqutnî and al-<u>H</u>âkim, and most probably it is also the saying of Ibn 'Abbâs, i.e. Mawqûf and not of the sayings of the Prophet ...

<sup>209-</sup> According to most scholars it is preferable for one to fast while performing I tikâf but he is not obliged to do so.

٧٢٤ — وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - ، أَنَّ رِحَالاً مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ أُرُوا لَيْلَةَ الْقَدْرِ فِي الْمَنَامِ ، فِي السَّبْعِ الأَوَاخِرِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَرَى رُؤْيَاكُمْ قَدْ تَوَاطَأْتْ فِي السَّبْعِ الأَوَاخِرِ ، فَمَنْ كَانَ مُتَخَرِّيهَا فَلْيَتَحَرَّهَا فِي السَّبْعِ الأَوَاخِرِ ، فَمَنْ كَانَ مُتَّخَرِّيهَا فَلْيَتَحَرَّهَا فِي السَّبْعِ الأَوَاخِرِ». مُتَّفَقٌ عَلَيْهِ .

724. Ibn 'Umar (RAA) narrated, 'Some of the companions of the Prophet \* were shown in their dreams that the night of  $Qadr^{210}$  was in the last seven nights of Ramadan. The Messenger of Allâh \* said to them, "It seems that all of your dreams agree that (the Night of Qadr) is in the last seven nights, and whoever wants to seek that night should do so in the last seven nights (of Ramadan)." Agreed upon.

٥٢٥ ـــ وَعَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِي لَيْلَةِ الْقَدْرِ : «لَيْلَةُ سَبْعِ وَعِشْرِينَ». رَوَاهُ أَبُو دَاوُدَ ، وَالرَّاحِحُ وَقْفُهُ ، وَقَدِ احْتُلِفَ فِي تَعْبِينِهَا عَلَى أَرْبَعِينَ قَوْلًا أَوْرَدْتُهَا فِي فَتْحِ الْبَارِيِّ .

725. Mu'âwiyah bin Abî Sufîân (RAA) narrated, 'The Messenger of Allâh said regarding the night of al-Qadr, "It is the 27<sup>th</sup> night<sup>211</sup> (of Ramadân)." Related by Abû Dawûd. But it is most probably the saying of Mu'âwiyah and not the Prophet ...

<sup>210-</sup> The night of Qadr is the most virtuous night of the year, as Allâh says in the Qur'ân: "Verily! We have sent it in the night of al-Qadr. And what will make you know what the night of al-Qadr is? The night of Al-Qadr is better than a thousand months..." (Sûrah 97). Any action done on that night for example, reciting the Qur'ân, making dhikr of Allah, and so on, is better than acting for one thousand months, which do not contain the night of Qadr. It is to be expected in the last ten days of Ramadân.

<sup>211-</sup> Scholars hold different opinions as to when the night of al-Qadr occurs. Some are of the opinion that it is the 21st, some say the 23rd, others say the 25th and yet others say that it is the 29th. Some are of the opinion that it varies from year to year, but most scholars believe that it is most probably the 27th of Ramadan due to the hadith related by Ahmad on the authority of Ibn Umar, that the Messenger of Allah \$\mathbb{Z}\$ said, "He who likes to seek that night should do so on the 27th."

٧٢٦ ـــ وَعَنْ عَائِشَةً - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ يَا رَسُولَ اللَّهِ ، أَرَأَيْتَ إِنْ عَلَمْــتُ أَيَّ لَيْكَةً الْقَدْرِ ، مَا أَقُولُ فِيهَا ؟ قَالَ : «قُولِي : اللَّهُمَّ إِنَّكَ عَفُوٌّ تُحِبُّ الْعَفْوَ فَاعْفُ عَنِّيٌ». رَوَاهُ الْخَسْمَةُ ، غَيْرَ أَبِي دَاوُدَ ، وَصَحَّحَهُ التَّرْمِذِيُّ وَالْحَاكِمُ .

726. 'Â'ishah (RAA) narrated, 'I asked the Messenger of Allâh 養, 'O Messenger of Allâh, if I know what night the night of *Qadris*, what should I say during it?' He said, "Say: O Allâh, You are the Pardoner and You love to pardon, so pardon me." Related by the five Imâms except for Abû Dawûd. At-Tirmidhî and Al-Hâkim reported it as <u>Sahîh</u>.

٧٢٧ ــ وَعَنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَــيْهِ وَسَـــلَّمَ : «لاَ تُشَدُّ الرِّحَالُ إِلاَّ إِلَى ثَلاَثَةِ مَسَاحِدٍ : الْمَسْجِدِ الْحَرَامِ ، وَمُسْجِدِي هَذَا ، وَالْمَسْجِدِ الْأَقْصَى». مُتَّفَقٌ عَلَيْهِ .

727. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, "One should not undertake journeys except to three mosques: al-Masjid al-Harâm (in Makkah), the Aqsâ mosque, or this mosque (in Madînah)."<sup>212</sup> Agreed upon.

<sup>212-</sup> Scholars say that if one makes a vow to perform I'tikâf in one of these three mosques in particular, then he should fulfill his vow, due to this hadîth, which indicates that these mosques have special preference over any other mosque. But if someone vows to perform I'tikâf in another mosque, it is not obligatory on him to fulfill it and he may perform it in any place.

# كتَسابُ الْحَسجِّ

### Book VI: Pilgrimage

## بَابُ فَضْلِهِ وَبَيَانِ مِنْ فُرِضَ عَلَيْهِ

#### Chapter I: Its virtues and those upon whom <u>H</u>ajj (Pilgrimage) is obligatory

٧٢٨ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «الْعُمْــرَةُ إِلَى الْعُمْرَةِ كَفَّارَةٌ لِمَا بَيْنَهُمَا ، وَالْحَجُّ الْمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلاَّ الْجَنَّةَ». مُتَّفَقٌ عَلَيْهِ .

728. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "The performance of 'Umrah is an expiation for all the sins committed (between this 'Umrah and the previous one), and the reward for <u>Hajj Mabrûr</u> 213 (the one accepted by Allâh or the one which was performed without doing any wrong) is nothing save Paradise." Agreed upon.

٧٢٩ \_ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّه ، عَلَى النِّسَــاءِ جَهَــادٌ ؟ قَلْتُ : يَا رَسُولَ اللَّه ، عَلَيْهِنَّ جَهَادٌ لاَ قِتَالَ فِيه : الْحَجُّ ، وَالْعُمْرَةُ».
رَوَاهُ أَحْمَدُ ، وَابْنُ مَاحَةُ ، وَاللَّفْظُ لِهُ ، وَإِسْنَادُهُ صَحِيحٌ ، وَأَصْلُهُ فِي الصَّحِيحِ .

729. Â'ishah (RAA) narrated, 'I once asked the Messenger of Allâh , 'O Messenger of Allâh! Is Jihâd incumbent upon women? He replied, "Yes. They have to take part in Jihâd in which no fighting takes place, which is: <u>Hajj and 'Umrah</u>." Related by Ahmad and Ibn Mâjah and the wording is his. It is reported with a sound chain of narrators.

<sup>213.</sup> It is the <u>Hajj</u> accepted by Allâh or the one, which is performed pure of any sins or evil actions.

٧٣٠ ــ وَعَـــنْ جَابِرِ بْنِ عَبْد الله - رَضِيَ اللهُ عَنْهُمَا - قَالَ : أَتَى النّبِيَّ صَلَّى اللهُ عَلَمْ مَا لَهُ وَسَــلَمَ أَعْرَابِيٌّ ، فَقَالَ : يَا رَسُولَ الله ، أَخْبِرْنِي عَنِ الْعُمْرَةِ ، أَوَاحِبَةٌ هِيَ ؟ عَلَـــيْهِ وَسَــلَمَ أَعْرَابِيٌّ ، وَالرَّاجِحُ وَقْفُهُ .
 فَقَالَ : «لا ، وَأَنْ تَعْتَمرَ خَيْرٌ لَكَ». رَوَاهُ أَحْمَدُ ، وَالنَّرْمِذِيُّ ، وَالرَّاجِحُ وَقْفُهُ .
 وأخْرَجَهُ ابْنُ عَدَيٍّ مِنْ وَجْهِ آخَرَ ضَعِيفٍ ، عَنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - مَرْفُوعًا : «الْحَجُّ وَالْعُمْرَةُ فَريضَنَان».

730. Jâbir bin 'Abdullâh (RAA) narrated, 'A Bedouin came to the Prophet and said, 'O Messenger of Allâh! Tell me about 'Umrah! Is it compulsory? He replied , "No (it is not compulsory), but it is better for you to perform it." Related by Ahmad and at-Tirmidhî. Scholars are of the opinion that it is Mawqûf. Ibn 'Adî narrated with a weak chain of narrators on the authority of Jâbir (RAA) in a Hadîth Marfû' (connected to the Prophet ), "Hajj and Umrah are compulsory." 214

٧٣١ ـــ وَعَـــنْ أَنَـــسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قِيلَ يَا رَسُولَ اللَّهِ ، مَا السَّبِيلُ ؟ قَالَ : «الزَّادُ وَالرَّاحِلَةُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَالرَّاحِحُ إِرْسَالُهُ .

731. Anas (RAA) narrated that the Messenger of Allâh ﷺ was asked, 'What is as-Sabîl? <sup>215</sup>' The Messenger of Allâh ﷺ replied, "Provision of food and means to make the journey." Related by Ad-Dâraqutnî and rendered authentic by Al-<u>H</u>âkim.

732. At-Tirmidhî reported the same <u>h</u>adîth on the authority of Ibn 'Umar but with a weak chain of narrators.

<sup>214-</sup> Most scholars hold the opinion that 'Umrah is Sunnah and not a compulsory duty.

<sup>215-</sup> The man is asking about what is meant by being able to perform <u>Hajj</u> as mentioned in the verse, "And <u>Hajj</u> is a duty that mankind owes to Allâh, those who <u>can afford the journey</u>," (3:97).

٧٣٣ ـــ وَعَنِ ابْنِ عَبَّاسٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَقِيَ رَكَبًا بِالرَّوْحَاء فَقَالَ : «رَسُولُ اللَّهِ» فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيًّا ، وَمَــنِ الْقُومُ ؟» فَقَالُوا : مَنْ أَنْتَ ؟ فَقَالَ : «رَسُولُ اللَّهِ» فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيًّا ، فَقَالَتْ : أَلِهَذِا حَجٌّ ؟ قَالَ : «نَعَمْ : وَلَكَ أَجْرٌ». رَوَاهُ مُسْلِمٌ .

733. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ came across some riders at ar-Rauhâ' (a place near Madînah). He asked them, "Who are you?" They replied, 'Who are you?' He replied, "I am the Messenger of Allâh." A woman then lifted up a boy, and asked the Prophet, 'Will this boy be rewarded for  $\underline{Hajj}$ ? The Messenger of Allâh ﷺ replied, "Yes, and you too will be rewarded." <sup>216</sup> Related by Muslim.

٧٣٤ \_ وَعَــنْهُ - رَضِــيَ اللَّــهُ عَنْهُ - قَالَ : كَانَ الْفَضْلُ بْنُ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُ ما غَنْهُمَا - رَدِيفَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَجَاءَتِ امْرَأَةٌ مِنْ خَنْعَمَ ، فَجَعَلَ الْفَضْــلُ يَــنْظُرُ إِلَيْهَا وَتَنْظُرُ إِلَيْهِ ، وَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصْرِفُ وَجْهَ الْفَضْــلُ إِلَى الشِّقِ الآخِرِ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ فَرِيضَةَ اللَّهِ عَلَى عِبَادِهِ فِي الْمَحَجِّ أَذْرَكْتُ أَبِي الشِّقِ الآخِرِ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ فَرِيضَةَ اللَّهِ عَلَى عِبَادِهِ فِي الْحَجِّ أَذْرَكْتُ أَبِي الشِّقِ الآخِرِ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ فَرِيضَةَ اللَّهِ عَلَى عِبَادِهِ فِي الْحَجِّ أَذْرَكُتُ أَبِي شَيْخًا كَبِيرًا ، لاَ يَثْبُتُ عَلَى الرَّاحِلَةَ ، أَفَأَحُجَ عَنْهُ ؟ قَالَ : «نَعَمْ» الْحَجِ مَنْهُ ؟ قَالَ : «نَعَمْ» وَاللَّفْظُ لِلْبُخَارِيَّ .

734. Ibn 'Abbâs (RAA) narrated that 'Al-Fadl Ibn 'Abbâs was riding behind the Messenger of Allâh when a woman from the tribe of Khath'am came along, and al-Fadl started looking at her and she also started looking at him. The Messenger of Allâh kept on turning al-Fadl's face to the other side. She said, 'O Messenger of Allâh! Allâh has prescribed Hajj for His servants, and it has become due on my father who is an old man, who cannot sit stable on his mount. Shall I perform Hajj on his behalf?' The Prophet replied, "Yes, you may." This incident took place during

<sup>216-</sup> The boy will be rewarded for his obedience, while the mother will be rewarded for carrying and instructing him to perform <u>Hajj</u>. This <u>hadith</u> is evidence that performing <u>Hajj</u> by someone before attaining puberty is correct and acceptable, but once he attains the age of puberty, he is to perform <u>hajj</u> once again, as <u>Hajj</u> is compulsory on adults only.

the Farewell Pilgrimage of the Prophet ﷺ. Agreed upon, and the wording is from Al-Bukhârî'.

٧٣٥ \_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - ، أَنْ امْرَأَةً مِنْ جُهَيْنَةَ جَاءَتْ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : إِنَّ أُمِّي قَذَرَتْ أَنْ تَحُجَّ ، فَلَمْ تَحُجَّ حَتَّى مَاتَتْ ، أَفَاحُجُ عَنْهَا ؟ قَالُهِ وَسَلَّمَ فَقَالَتْ : ﴿ وَسَلَّمَ فَاكُ مَنْ مَا لَكُ مَ اللَّهُ الْمُؤوا : ﴿ وَاللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ أَخَلُ اللَّهُ اللَّهُ أَخَلُ اللَّهُ مَا اللَّهُ أَخَلُ اللَّهُ اللَّهُ أَخَلُ اللَّهُ مَا اللَّهُ اللَّهُ أَخَلُ اللَّهُ مَا اللَّهُ اللَّهُ اللَّهُ أَخَلُ اللَّهُ اللَهُ اللَّهُ الللّهُ الللّهُ اللَّهُ اللَّهُ الللّهُ الللّهُ اللّهُ اللّهُ الللّهُ الللّهُ الللّهُ الللّهُ الللّهُ اللّهُ اللّهُ اللّهُ الللّهُ الللللّهُ الللّهُ الللّهُ الللّهُ الللّهُ الللّهُ اللللّهُ اللّهُ اللّهُ اللّهُ الللّهُ الل

735. Ibn 'Abbâs (RAA) narrated, 'A woman from the tribe of Juhainah came to he Prophet and said, 'My mother had vowed to perform <u>Hajj</u>, but she died before fulfilling her vow. Should I perform <u>Hajj</u> on her behalf?' The Prophet said, "Yes perform <u>Hajj</u> on her behalf. Had there been a debt on your mother, would you have paid it or not? So, pay off her debt to Allâh, for He is most deserving of settlement of His debt." Related by Al-Bukhârî.

٧٣٦ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا صَبِيٍّ حَجَّ ، ثُمَّ بَلَغَ الْحِنْثَ ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةٌ أُخْرَى ، وَأَيُّمَا عَبْد حَجَّ ، ثُمَّ أَعْتَقَ ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةٌ أُخْرَى». رَوَاهُ ابْنُ أَبِي شَيْبَةَ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثَمَاتٌ ، إلاَ أَنْهُ اخْتُلفَ فِي رَفْعِهِ ، وَالْمَحْفُوظُ أَنَّهُ مَوْتُوفٌ .

736. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Any minor (child) who performs <u>Hajj</u> must perform it again after coming of age; any slave who performs <u>Hajj</u> and is then freed, must perform his <u>Hajj</u> again." Reported by Ibn Shaibah and Al-Baihaqî. Its narrators are authoritative but scholars say that it is <u>Mawqûf</u>.

٧٣٧ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ يَقُولُ : «لاَ يَخْلُونَ رَجُلٌ بِامْرَأَة إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ ، وَلاَ تُسَافِرُ الْمَرْأَةُ إِلاَّ مَــعَ ذِي مَحْرَمٍ» فَقَامَ رَجُلٌ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنَّ الْمُرَأَّتِي خَرَجَتْ حَاجَّةً ، وَإِنِّي اكْتُتِبْتُ فِي غَرْوَةِ كَذَا وَكَذَا ، فَقَالَ : «انْطَلِقْ ، فَحُجَّ مَعَ امْرَأَتِكِ». مُتَّفَقٌ عَلَيْهِ اللَّفْظُ لِمُسْلِمٍ .

737. Ibn 'Abbâs (RAA) narrated, 'I heard the Messenger of Allâh saying, "A man must never be alone with a woman unless there is a Maḥram 217 with her. A woman also may not travel with anyone except with a Maḥram (relative)." A man stood up and asked, 'O Messenger of Allâh! My wife has gone for Hajj while I am enlisted for such and such a battle, what should I do?' The Messenger of Allâh replied, "Go and join your wife in Hajj." Agreed upon, and the wording is from Muslim.

٧٣٨ ــ وَعَنْهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَمَعَ رَجُلاً يَقُولُ : لَبَيْكَ عَنْ شُبْرُمَةَ ، ٢٣٨ ــ وَعَنْهُ أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَمَعَ رَجُلاً يَقُولُ : لَبَيْكَ عَنْ شُبْرُمَة ، هَحَجَجْتَ عَنْ قُلْسِكَ ؟» قَالَ : ﴿ حَجَجْتَ عَنْ أَوْ قَرْيِبٌ لِي ، فَقَالَ : ﴿ حَجَجْتَ عَنْ نَفْسِكَ أَمَّ حُجَّ عَنْ شُبْرُمَةَ ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالرَّاحِحُ عِنْدَ أَحْمَدَ وَقُفُهُ .

738. Ibn 'Abbâs (RAA) narrated, "The Messenger of Allâh \* heard a man saying, 'O Allâh! Here I am in response to Your call (saying Labbayk on behalf...) on behalf of Shubrumah.' The Messenger of Allâh \* asked him. "Have you performed your own Hajj?" He replied, 'No,' whereupon the Prophet told him, "You must perform Hajj on your own behalf first, and then perform it on behalf of Shubrumah." Related by Abû Dawûd and Ibn Mâjah. Ibn Hibbân graded it as Sahîh.

٧٣٩ \_ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : خَطَبَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِنَّ اللَّهَ كَتَبَ عَلَيْكُمُ الْحَجَّ» فَقَامَ الأَقْرَعُ بْنُ حَاسِ فَقَالَ : أَفَى كُلَّ عَامٍ يَا رَسُــولَ اللَّــه ؟ قَــالَ : «لَــوْ قُلْتُهَا لَوَجَبَتْ ، الْحَجُّ مَرَّةً ، فَمَا زَادَ فَهُوَ تَطَوُّعٌ». رَوَاهُ الْحَسْمَةُ غَيْرَ التَّرْمذيِّ .

739. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh sonce addressed us and said, "O People! <u>H</u>ajj has been presc-

<sup>217-</sup> A man from among her relatives to whom she is not permitted to marry.

ribed for you." Al-Aqra´ bin <u>H</u>âbis stood up and asked, 'O Prophet of Allâh! Are we to perform <u>H</u>ajj every year?" The Messenger of Allâh said, "Had I said 'yes', it would have become a (yearly) obligation. <u>H</u>ajj is obligatory only once in one's lifetime. Whatever one does over and above this is supererogatory (a voluntary act) for him." Related by the five Imâms except for at-Tirmidhî.

740. A similar narration was also related by Muslim on the authority of Abû Hurairah.

### بَسابُ الْمَوَاقيت

#### Chapter II: Mawâqît: Fixed Times and Places For I<u>h</u>râm

٧٤١ ــ عَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَـَـتَ لِأَهْلِ الشَّامِ الْجُحْفَةَ ، وَلَأَهْلِ الشَّامِ الْجُحْفَةَ مِنْ مَمْنُ أَرَادَ الْحَجَّ أَوْ اللَّهُ مَنْ اللَّهُ مَكْةً مِنْ مَكَّةً مِنْ مَكَّةً مِنْ مَكَّةً مِنْ مَكَّةً ». اللَّحَجَّ أَوْ اللَّهُ مَلَهُ مَا اللَّهُ مَلْ مَكَّةً مِنْ مَكَّةً ».

741. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh specified for the people of Madînah, DhulHulaifah (a place 540 km to the north of Makkah) as miqât. For those coming from ash-Shâm (including Syria, Jordan and Palestine), he specified al-Juhfah (a place 187 km to the north-west of Makkah and close to Râbigh, where they now perform their Ihrâm). For those coming from Najd, he specified Qran al-Manâzil, (a mountain, 94 km to the east of Makkah, overlooking 'Arafah. For those coming from Yemen, he specified Yalamlam (a mountain 54 km to the south of Makkah. These places are for the people (coming from the above

<sup>218-</sup> A place from where they must declare their intention for <u>Hajj</u> and enter the state of <u>Ih</u>râm.

specified countries) as well as for others, who pass by them on their way to perform <u>Hajj</u> or 'Umrah. Those living within those boundaries can assume <u>Ihrâm</u> from where they set out (for the journey), and even the residents of Makkah, their <u>Miqât</u> would be the place where they are staying in Makkah.' Agreed upon.

742. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh se specified for those coming from Iraq, *Dhât 'Irq* (a place 94 km to the north-east of Makkah) as their *Miqât*.' Related by Abû Dawûd and An-Nasâ'î.

743. Muslim related a similar narration on the authority of Jâbir, but it is most probably Mawqûf.

744. Al-Bukhârî reported that it was 'Umar, who specified Dhât 'Irq as the miqât (of those coming from Iraq).<sup>219</sup>

745. Ibn 'Abbâs narrated that the Messenger of Allâh se specified al-'Aqîq (a part of Dhât 'Irq) for those coming from the east.' Related by Ahmad, Abû Dawûd and An-Nasâ'î.

<sup>219-</sup> After al-Basrah and al-Kûfah were conquered.

### بَسَابُ وُجُسُوهِ الإِحْسِرَامِ وَصِفَتِسِهِ Chapter III: Kinds of Ihrâm

٧٤٦ ـ عَـنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «خَرَجْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَمَ عَامَ حُجَّةِ الْوَدَاعِ ، فَمِنَّا مِنْ أَهَلَّ بِعُمْرَةِ ، وَمِنَّا مَنْ أَهَلَّ بِحَجُّ وَعُمْسِرَةِ ، وَمِنَّا مَنْ أَهَلَّ بِحَجِّ ، وَعُمْلَ بِعُمْرَةِ ، وَمِنَّا مَنْ أَهَلَّ بِحَجِّ ، وَأَهَلُّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ فَأَمَّا مَنْ أَهَلَّ بِعُمْرَةٍ فَحَلَّ عِنْدَ قُدُومِهِ ، وَأَهَلُّ مَنْ أَهَلَّ بِحَجٍّ ، أَوْ جَمَعَ بَيْنَ الْحَجِّ وَالْعُمْرَةِ فَلَمْ يَحِلُوا حَتَّى كَانَ يَوْمُ النَّحْرِ». مُتَّفَقٌ عَلَيْهِ .

746. Â'ishah (RAA) narrated, 'We left Madînah with the Messenger of Allâh sto perform the Farewell Hajj. Some of us decalred Ihrâm to perform 'Umrah, while others declared their intentions to perform both Hajj and 'Umrah. Yet others declared their Ihram to perform Hajj only. The Prophet declared Ihrâm for Hajj only. Those who intended 'Umrah terminated their Ihrâm as soon as they finished the rituals of 'Umrah. Those who intended to perform Hajj only or to combine Hajj with 'Umrah, did not terminate their Ihrâm until the Day of Slaughtering (i.e. the day of sacrifice or Îdul Ad-hâ).' Agreed upon.

### بَسَابُ الإِحْسِرَامِ وَمَسَا يَتَعَلَّسَقُ بِسِهِ Chapter IV: The Etiquettes of Ihrâm

٧٤٧ ــ عَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «مَا أَهَلُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلاَّ مِنْ عِنْدِ الْمَسْجِدِ». مُتَّفَقٌ عَلَيْهِ .

747. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh se used to start saying the *Talbiyah* (after entering the state of *Ihrâm*) from the mosque of *Dhul Hulaifah* (i.e. from the *Miqât* of Madînah).' Agreed upon.

٧٤٨ ــ وَعَـــنْ خَـــلاَدِ بْـــنِ السَّـــائِبِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « أَتَانِي جَبْرِيلُ ، فَأَمَرَنِي أَنْ آمُرَ أَصْحَابِي أَنْ يَرْفَعُوا

أَصْوَاتَهُمْ بِالإِهْلاَل ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التِّرْمَذِيُّ وَابْنُ حَبَّانَ .

748. Khallâd bin as-Sâ'ib narrated on the authority of his father, 'The Messenger of Allâh said, "Jibrîl (peace be upon him) came to me and told me: 'Command your Companions to raise their voices when saying Talbiyah." Related by the five Imâms and rendered authentic by At-Tirmidhî and Ibn Hibbân.

٧٤٩ ـــ وَعَنْ زَيْدِ بْنِ ثَابِت - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَجَرَّدَ لإهْلاَله وَاغْتَسَلَ». رَوَاُهُ التِّرْمَذَيُّ ، وَحَسَّنَهُ .

749. Zaid bin Thâbit (RAA) narrated, 'When the Messenger of Allâh intended to make *Ihrâm* for *Hajj*, he would wash, and take off his ordinary clothes (and put on his white *Ihrâm*)." Related by At-Tirmidhî who declared it to be *Hadîth Hasan*.

٥٥ - وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سُئِلَ : مَا يَلْبَسُ الْمُحْرِمُ مِنَ النِّيَابِ ؟ قَالَ : «لاَ يَلْبَسُ الْقَمِيصَ ، وَلاَ الْعَمَائِمَ، وَلاَ السَّسَرَ اوِيلاَتِ ، وَلاَ الْبَرَانِسَ ، وَلاَ الْحَفَافَ ، إِلاَّ أَحَدُ لاَ يَجَدُ نَعْلَيْنِ فَلْيُلْبَسِ الْحُفَيْنِ السَّسَرَ اوِيلاَتِ ، وَلاَ الْبَرَانِسَ ، وَلاَ الْحَفَافَ ، إِلاَّ أَحَدُ لاَ يَجَدُ نَعْلَيْنِ فَلْيُلْبَسِ الْحُفَيْنِ وَلَا تَلْبَسُوا شَيْئًا مِنَ النَّيْابِ مَسَّهُ الزَّعْفَرَانُ وَلاَ وَلَا يَشْسُوا شَيْئًا مِنَ النَّيَابِ مَسَّهُ الزَّعْفَرَانُ وَلاَ الْوَرْسُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

750. Ibn Umar (RAA) narrated, 'The Messenger of Allâh kas asked about what the person who is in a state of Ihrâm (Muhrim) should wear. He answered, "A person in the state of Ihrâm is not allowed to wear a sewn shirt, a turban, trousers, a hooded robe, shoes or sewn slippers (Khuff<sup>220</sup>), unless one is unable to find unsown slippers, then he may wear his Khuff or shoes provided one cuts them below the ankles, and you must not wear clothing that has been dyed with sweet smelling fragrance (such as saffron)." Agreed upon, and the wording is from Muslim.

٧٥١ ـــ وَعَـــنْ عَائِشَـــةَ قَالَـــتْ : «كُنْتُ أُطَيِّبُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لإِحْرَامِهِ قَبْلَ أَنْ يُحْرِمَ ، وَلِحِلَّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ». مُتَّفَقٌ عَلَيْهِ .

751. 'Â'ishah (RAA) narrated, 'I used to apply perfume to the Prophet \* when he intended to enter the state of Iħrâm, before he put on his Iħrâm (garments). And again when he ended his state of Iħrâm, but before he had made Tawâf around the Ka'bah.'

221 Agreed upon.

٧٥٢ ـــ وَعَـــنْ عُثْمَانَ بْنِ عَفَّانَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَنْكِحُ الْمُحْرِمُ ، وَلاَ يُنْكِحُ ، وَلاَ يَحْطُبُ». رَوَاهُ مُسْلِمٌ .

752. Uthmân bin 'Affân (RAA) narrated that the Messenger of Allâh said, "A Muhrim (one in the state of Ihrâm) must not contract marriage, nor help others contract marriage, nor get engaged to marry." Related by Muslim.

٧٥٣ ـــ وَعَـــنْ أَبِـــي قَتَادَةَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةِ صَيْدِهِ الْحِمَارَ الْوَحْشِيُّ ، وَهُوَ غَيْرُ مُحْرِمٍ - قَالَ : فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَأَصْحَابِهِ - وَكَـــانُوا مُحْرِمِينَ - : «هَلْ مِنْكُمْ أَحَدٌ أَمَرَهُ أَوْ أَشَارَ إِلَيْهِ بِشَيْءٍ ؟» قَالُوا : لاَ ، قَالَ : «فَكُلُوا مَا بَقِيَ مِنْ لَحْمِهِ». مُثَّفَقٌ عَلَيْهِ .

753. Abû Qatâdah Al-An<u>s</u>ârî (RAA) narrated concerning his hunting a zebra while he is not in a state of *Ihrâm*, <sup>222</sup> that 'Allâh's

<sup>221-</sup> Perfume may be used on the body as well as on the <u>Hajj</u> garments, but only before making the intention to enter the state of <u>Ihrâm</u>.

<sup>222-</sup> Abû Qatâdah reported that Allâh's Messenger & went out to perform Hajj and they accompanied him. The Prophet & dispatched a group, including Abû Qatâdah, and told them to follow the seashore until they meet him again. All of them except for Abû Qatâdah were in the state of Ihrâm. On the way, they saw a herd of zebras. Abû Qatâdah caught a female zebra and they all ate from its meat, but they wondered if it was permissible for them to eat of it as they were in the state of Ihrâm (because it is not permissible for the one in the state of Ihrâm to engage in hunting or eating land game). Then they carried the rest of the meat to the Prophet , and told him the whole story. The Prophet asked them, "Did any of you ask Abû Qatâdah to attack the herd,....."

Messenger said to Abû Qatâdah's companions—who were in a state of *Ihrâm*, "Did any one of you ask Abû Qatâdah to attack the herd, or point it out to him?" They said, 'No.' The Prophet then said, "Then, you may eat what is left of the quarry." Agreed upon.

٧٥٤ \_\_ وَعَنِ الصَّعْبِ بْنِ جَنَّامَةَ اللَّيْشِيِّ - رَضِيَ اللَّهُ عَنْهُ - ، أَنَّهُ أَهْدَى لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَمَارًا وَحْشَيًّا ، وَهُوَ بِالإِبْوَاءِ ، أَوْ بِوَدَّانَ ، فَرَدَّهُ عَلَيْهِ ، وَقَالَ : «إِنَّا لَمْ نَرُدَّهُ عَلَيْهِ أَنَّا حُرُمٌ». مُتَّفَقَ عُلَيْهِ .
 ﴿إِنَّا لَمْ نَرُدَّهُ عَلَيْكَ إِلاَّ أَنَّا حُرُمٌ». مُتَّفَقَ عُلَيْهِ .

754. As-Sa'b bin Jath-thâmah al-Laithî (RAA) narrated, 'He presented to the Prophet the meat of a zebra while he was in the area known as al-Abwâ' or Waddân. The Prophet declined it, and said to him, "We declined your present only because we are in the state of *Ihrâm*." 223 Agreed upon.

٥٥٥ \_ وَعَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «خَمْسٌ مِنَ الدَّوَابُّ كُلُّهُنَّ فَوَاسِقُ ، يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ : الْعَقْرَبُ ، وَالْحِدَأَةُ ، وَالْغُرَابُ ، وَالْفَأْرَةُ ، وَالْكَلْبُ الْعَقُورُ». مُتَّفَقٌ عَلَيْهِ .

755. 'A'ishah (RAA) narrated, 'The Messenger of Allâh 'said, "Five kinds of animals are vicious and harmful, and they may be killed outside or inside the sacred area of Haram (Sanctuary). These are: the scorpion, the kite, the crow, the mouse, and the rabid dog." Agreed upon.

<sup>(</sup>as in the <u>hadîth</u>). Scholars deduced from this story that it is permissible for the *Muhrim* to eat land game as long as he did not ask for it to be hunted, pointed it out to the person who hunted it or helped in the hunt.

<sup>223-</sup> The Prophet 養 declined the present because the man caught it especially for the Prophet 養 while he was in the state of Ihrâm. What is allowed for the muḥrim is to eat what was given as a present from land game that was not caught for the muḥrim but for the one who is not in the state of Iḥrâm, who caught it for himself and then decided to give some of it to the muḥrim as a present.

٧٥٦ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَهُوَ مُحْرِمٌ». مُتَّفَقٌ عَلَيْه .

756. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh shad himself cupped while he was in the state of *Ihrâm*.' Agreed upon.

٧٥٧ \_ وَعَــنْ كَعْبِ بْنِ عُجْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : حُملْتُ إِلَى رَسُولِ اللَّهُ عَنَّهُ اللَّهُ عَلَيْهِ وَسَلَّمَ وَالْقُمَّلُ يَتَنَائَرُ عَلَى وَجْهِي ، فَقَالَ : «مَا كُنْتُ أُرَى الْوَجَعَ بَلَغَ بِلَغَ بِلَكَ مــا أُرَى ، أَتَجِدُ شَاةً ؟» قُلْتُ : لا . قَالَ : «فَصُمْ ثَلاَئَةَ أَيَامٍ ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ ، لكُلِّ مِسْكِينَ نِصْفُ صَاع». مُتَّفَقٌ عَلَيْه .

757. Kab bin 'Ujrah (RAA) narrated, 'I was carried to the Prophet and the lice were falling over my face. He said, "I did not know that your disease is hurting you as much as what I see. Can you sacrifice a sheep?" I said, 'No.' He then said, "Fast for three days or feed six poor people, half a <u>Sâ</u>' each." <sup>224</sup> Agreed upon.

758. Abû Hurairah (RAA) narrated, 'When Allâh, the Most High granted His Messenger on the conquest of Makkah, the Prophet addressed the people, so he glorified Allâh and praised Him, and said, "Allâh withheld the elephant from

<sup>224.</sup> In another narration: of dates.

Makkah<sup>225</sup> and empowered His Messenger and the believers over it. It has not been made lawful (i.e. fighting in it) for anyone before me, but it has been lawful for me only for a few hours on that day (of the conquest), and it will not be made lawful to anyone after me (to enter it fighting). Its wild game must not be frightened, its thorns are not to be cut. No one is allowed to pick up lost articles (Luqaṭah) unless he announces it (what he has found) publicly (in order to return it to the owner). If anyone has someone murdered inside its boundaries, then he has the choice of the best of two options (i.e. either to accept compensation, i.e. blood money or to retaliate). Al-'Abbâs then said, 'Except for the Idhkhar (a kind of nice smelling grass, which is used by goldsmiths and burnt in households.) <sup>226</sup>

٧٥٩ ـــ وَعَنْ عَبْد اللّهِ بْنِ زَيْد بْنِ عَاصِمٍ - رَضِيَ اللّهُ عَنْهُ - أَنَّ رَسُولَ اللّهِ صَلَّى اللّهُ عَنْهُ - أَنَّ رَسُولَ اللّهِ صَلَّى اللّهُ عَنْهُ وَسَلَّمَ قَالَ : «إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ وَدَعَا لأَهْلِهَا ، وَإِنِّي حَرَّمْتُ الْمَدينَةَ كَمَّا حَرَّمَ إِبْرَاهِيمُ مَكَّةً ، وَإِنِّي دَعَوْتُ فِي صَاعِهَا وَمُذَّهَا بِمِثْلِ مَا دَعَا بِهِ إِبْرَاهِيمُ لأَهْل مَكَّةً». مُتَّفَقٌ عَلَيْه .

759. 'Abdullâh bin Zaid bin 'Âsim (RAA) narrated that the Messenger of Allâh said, "Ibrâhîm declared Makkah as a <u>Haram</u> (Sanctuary) and made supplication for its people, and I declare Madînah to be a <u>Haram</u> just as Ibrâhîm declared Makkah as a <u>Haram</u>, and I made supplication for its <u>Mudd</u> and <u>Sâ</u>' (refer to <u>hadîth no. 650)</u>, just as Ibrâhîm made supplication for the people of Makkah." Agreed upon.

٧٦٠ ـــ وَعَنْ عَلِيٍّ بْنِ أَبِي طَالِبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمَدِينَةُ حَرَامُ مَا بَيْنَ عَيْرٍ إِلَى ثَوْرٍ». رَوَاهُ مُسْلِمٌ .

<sup>225-</sup> Referring to the Abyssinian expedition against Makkah, meaning to destroy the Kabah, but Allâh, protected His Sacred House, and they went back defeated after Allâh sent flocks of birds on them (Sûrah 105).

<sup>226.</sup> In another narration the Prophet % said to Al-'Abbâs, "Except for the Idhkhar." Which means that it is excluded from the prohibition of cutting wild plants for the reasons that Al-'Abbâs mentioned.

760. 'Alî bin Abî <u>T</u>âlib (RAA) narrated that the Messenger of Allâh said, "Madînah is a <u>Haram</u> (Sanctuary) and its Sacred Precincts extend from 'Air to Thawr (the names of two mountains)." Related by Muslim.

## بَابُ صِفَة الْحَاجِّ وَدُخُولِ مَكَّة

#### Chapter V: Description of <u>H</u>ajj Rituals and Entering Makkah

٧٦١ ـــ عَـــنْ حَابِر بْنِ عَبْد اللَّه – رَضيَ اللَّهُ عَنْهُمَا – ، أَنْ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ حَجَّ فَحَرَحْنَا مَعَهُ ، حَتَّى إِذَا أَتَيْنَا ذَا الْحُلَيْفَةُ ، فَوَلَدَتْ أَسْمَاءُ بنْتُ عُمَيْس فَقَالَ : «اغْتَسلي وَاسْتَثْفرِي بنَوْب ، وَأَحْرمي» ، وَصَلَّى رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهُ وَسَـــلَّمَ فــــى الْمَسْـــجد ، ثُمَّ رَكبَ الْقَصْوَاءَ حَتَّى إذَا اسْتَوَتْ به عَلَى الْبَيْدَاء أَهَلُّ بِالتَّوْحِيدِ : «لَبَيْكَ اللَّهُمَّ لَبَيْكَ ، لَبَيْكَ لاَ شَرِيكَ لَكَ لَبَيْكَ ، إِنَّ الْحَمْدَ وَالنَّعْمَةَ لَكَ وَالْمُلْــكَ ، لاَ شَرِيكَ لَكَ» حَتَّى إِذَا أَتَيْنَا الْبَيْتَ اسْتَلَمَ الرُّكْنَ ، فَرَمَلَ ثَلاَثُما وَمَشَى أَرْبَعُـــا ، ثُمَّ أَتَى مَقَامَ إِبْرَاهِيمَ فَصَلَّى ، ثُمَّ رَجَعَ إِلَى الرُّكُن فَاسْتَلَمَهُ ، ثُمَّ خَرَجَ منَ الْــبَابِ إِلَى الصَّفَا ، فَلَمَّا دَنَا مِنَ الصَّفَا قَرَأَ : {إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائرِ اللَّه} [الــبَقَرَة : ١٥٨] «أَبْدَأُ بِمَا بَدَأُ اللَّهُ بِهِ» فَرَقَى الصَّفَا ، حُتَّى رَأَى الْبَيْتَ ، فَاسْتَقْبَلَ الْقَــبْلَةَ ، فَوَحَّــدَ اللَّــهَ وَكَبَّرَهُ ، وَقَالَ : «لاَ إِلَهَ إلاَّ اللَّهُ وَحْدَهُ ، لاَ شَريكَ لَهُ ، لُه الْمُلْــكُ ، وَلَــهُ الْحَمْدُ ، وَهُوَ عَلَى كُلِّ شَيْء قَديرٌ ، لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ ، أَنْجَزَ وَعْدَهُ ، وَنَصَرَ عَبْدَهُ ، وَهَزَمَ الأَحْزَابَ وَحْدَهُ» ثُمَّ دَعَا بَيْنَ ذَلكَ قَالَ مثْلَ هَذَا تُلاَثَ مَرَّات ، ثُمَّ نَزَلَ إِلَى الْمَرْوَة ، حَتَّى إِذَا انْصَبَّتْ قَدَماهُ في بَطْن الْوَادي سَعَى ، حَتَّى إِذَا صَسِعدَتًا مَشَسِى حَستَّى أَتسى الْمَرْوَةُ ، فَفَعَلَ عَلَى الْمَرْوَة كَمَا فَعَلَ عَلَى الصَّفَا – وَذَكَرَ الْحَديثَ – وَفيه : فَلَمَّا كَانَ يَوْمُ التَّرْويَة تَوَجَّهُوا إِلَى منَّى ، وَرَكبَ النَّبيُّ صَــلَّى اللَّــهُ عَلَــيْه وَسَلَّمَ ، فَصَلَّى بهَا الظُّهْرَ ، وَالْعَصْرَ ، وَالْمَعْرِبَ ، وَالْعشَاءَ ، وَالْفَحْرَ ، ثُمَّ مَكَثَ قَليلاً حَتَّى طَلَعَت الشَّمْسُ ، فَأَجَازَ حَتَّى أَتَى عَرَفَةَ ، فَوَجَدَ الْقُبُّةَ

قَدْ ضُرِيَتْ لَهُ بِنَمِرَةَ فَنَرُلَ بِهَا ، حُتَّى إِذَا زَاغَتِ الشَّمْسُ أَمَرَ بِالْقَصْوَاءِ ، فَرُحلَتْ لَهُ ، فَأْتَى بَطْنَ الْوَادِي ، فَحَطَبَ النَّاسَ ، ثُمَّ أَذَّنَ ثُمَّ أَقَامَ ، فَصَلَّى الظُّهْرَ ، ثُمَّ أَقَامَ فَصَلَّى الْعَصْــرَ ، وَلَــمْ يُصَلِّ بَيْنَهُمَا شَيْئًا ، ثُمَّ رَكبَ حَتَّى أَتَى الْمَوْقفَ فَجَعَلَ بَطْنَ نَاقَته الْقَصْـــوَاءَ إِلَى الصَّخَرَات ، وَجَعَلَ حَبْلَ الْمُشَاة بَيْنَ يَدَيْه وَاسْتَقْبَلَ الْقَبْلَةَ ، فَلَمْ يَزَلْ وَاقفُ ا حَتَّى غَرَبَت الشَّمْسُ ، وَذَهَبَت الصُّفْرَةُ قَليلاً ، حَتَّى غَابَ الْقُرْصُ ، وَدَفَعَ ، وَقَدْ شَنَقَ للْقَصْوَاء الزِّمَامَ حَتَّى إنَّ رَأْسَهَا لَيُصيبُ مَوْرِكَ رَحْله ، وَيَقُولُ بيَده الْيُمْنَى : «يَا أَيُّهَا النَّاسُ ، السَّكينَةَ ، السَّكينَةَ» ، وَكُلَّمَا أَتَى حَبْلاً منَ الْحبَال أَرْخَى لَهَا قَليلاً حَــتَّى تَصْـعَدَ ، حَــتَّى أَتَى الْمُزْدَلفَة ، فَصَلِّي بِهَا الْمَغْرِبَ وَالْعِشَاءَ ، بأذَان وَاحد وَإِقَامَتَيْنِ ، وَلَمْ يُسَبِّحْ بِيْنَهُمَا شَيْئًا ، ثُمَّ اضْطَحَعَ حَتَّى طَلَعَ الْفَحْرُ ، وَصَلَّى الْفَحْرَ ، حــينَ تَبَيَّنَ لَهُ الصُّبْحُ بِأَذَانِ وَإِقَامَة ، ثُمَّ رَكبَ حَتَّى أَتَى الْمَشْعَرَ الْحَرَامَ ، فَاسْتَقْبَلَ الْقـــبْلَةَ ، فَدَعَاهُ ، وَكَبَّرَهُ ، وَهَلَّلَهُ ، فَلَمْ يَزَلْ وَاقفًا حَتَّى أَسْفَرَ جدًّا ، فَدَفَعَ قَبْلَ أَنْ تَطْلُعُ الشَّمْسُ ، حَتَّى أَتَى بَطْنَ مُحَسِّر فَحَرَّكَ قَليلاً ، ثُمَّ سَلَكَ الطَّريقَ الْوُسْطَى التي تَخْــرُجُ عَلَى الْجَمْرَة الْكُبْرَى ، حَتَّى أَتَى الْجَمْرَةَ الَّتي عَنْدَ الشَّجَرَة ، فَرَمَاهَا بسَبْع حَصَـــيَات ، يُكَبِّرُ مَعَ كُلِّ حَصَاة منْهَا ، كُلُّ حَصَاة مثْلُ حَصَى الْخَذْفِ ، رَمَى مِنْ بَطْسِن الْوَادِي ، ثُمَّ انْصَرَفَ إِلَى الْمَنْحَرِ فَنَحَرَ ، ثُمَّ رَكبَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ، فَأَفَاضَ إِلَى الْبَيْت ، فَصَلَّى بمَكَّةَ الظُّهْرَ . رَوَاهُ مُسْلمٌ مُطَوَّلاً .

761. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh performed <u>Hajj</u> (on the 10th year of Hijrah), and we set out with him (to perform <u>Hajj</u>). When we reached Dhul-<u>Hulaifah, Asmâ' bint 'Umais gave birth to Muhammad Ibn Abî Bakr. She sent a message to the Prophet (asking him what she should do). He said, "Take a bath, bandage your private parts and make the intention for <u>Ihrâm.</u>" The Prophet then prayed in the mosque and then mounted al-Qaswâ' (his she-camel) and it stood erect with him on its back at al-Baidâ' (the place where he started his <u>Ihrâm</u>). He then started pronouncing the <u>Talbiyah</u>, saying: "Labbaika Allâhumma labbaik labbaika la sharika laka labbaik, innal <u>h</u>amda wan-ni'mata laka wal mulk, la sha-</u>

rika lak (O Allâh! I hasten to You. You have no partner. I hasten to You. All praise and grace is Yours and all Sovereignty too; You have no partner). When we came with him to the House (of Allâh). he placed his hands on the Black Stone (Hajar al Aswad) and kissed it. He then started to make seven circuits (round the Ka'bah), doing ramal (trotting) in three of them and walking (at his normal pace) four other circuits. Then going to the place of Ibrâhîm (Mag- $\hat{a}m\ Ibr\hat{a}h\hat{i}m$ ), there he prayed two  $rak'\hat{a}t$ . He then returned to the Black Stone (Hajar al Aswad) placed his hands on it and kissed it. Then he went out of the gate to Safa, and as he approached it, he recited: "Verily as-Safa and Marwah are among the signs appointed by Allâh,"(2:158), adding,"I begin with what Allâh began." He first mounted as-Safa until he saw the House, and facing the Qiblah he declared the Oneness of Allah and glorified Him and said: 'La ilaha illa-llah wahdahu la sharika lahu. lahul mulk wa lahul hamd, wa huwa 'ala kulli shai'in gadeer, la ilaha illa-llâhu wahdahu anjaza wa'dahu, wa nasara 'abdahu, wa hazamal ahzaba wahdah' (There is no God but Allâh, He is One, and has no partner. His is the dominion, and His is the praise and He has Power over all things. There is no God but Allâh alone, Who fulfilled His promise, helped His servant and defeated the confederates alone.") He said these words three times making supplications in between. He then descended and walked towards Marwah, and when his feet touched the bottom of the valley, he ran; and when he began to ascend, he walked (at his normal pace) until he reached Marwah. There he did as he had done at Safa.....

When it was the day of Tarwiyah (8th of Dhul-Hijjah) they went to Minâ and put on the Ihrâm for Hajj and the Messenger of Allâh rode his mount, and there he led the Dhuhr (noon), Asr (afternoon), Maghrib (sunset), Ishâ and Fajr (dawn) prayers. He then waited a little until the sun had risen, and commanded that a tent be pitched at Namirah (close to Arafât). The Messenger of Allâh continued on until he came to Arafah and he found that the tent had been pitched for him at Namirah. There he got down until the sun had passed its meridian; he commanded that al-Qaşwâ' be brought and saddled for him, then he came to the bottom of the valley, and addressed the people with the well-known sermon Khutbat al-Wadâ' (the Farewell Sermon). Then the Adhân was pronounced and later on the Iqâmah and the Prophet led the

<u>Dh</u>uhr (noon) prayer. Then another  $Iq\hat{a}mah$  was pronounced and the Prophet  $\not\cong$  led the  $A\underline{s}r$  (afternoon) prayer and he observed no other prayer in between the two.

The Messenger of Allah is then mounted his camel and came to the place where he was to stay. He made his she-camel,  $al\text{-}Qa\underline{s}w\hat{a}'$ , turn towards the rocky side, with the pedestrian path lying in front of him. He faced the Qiblah, and stood there until the sun set, and the yellow light diminished somewhat, and the disc of the sun totally disappeared. He pulled the nose string of  $al\text{-}Qa\underline{s}w\hat{a}'$  so forcefully that its head touched the saddle (in order to keep her under perfect control), and pointing with his right hand, advised the people to be moderate (in speed) saying: "O people! Calmness! Calmness!" Whenever he passed over an elevated tract of land, he slightly loosened the nose-string of his camel until she climbed up. This is how he reached al-Muzdalifah. There he led the Maghrib (sunset) and  $Ish\hat{a}$  prayers with one  $Adh\hat{a}n$  and two  $Iq\hat{a}mas$ , and did not pray any optional prayers in between them.

The Messenger of Allâh 🎉 then lay down until dawn and then offered the Fajr (dawn) prayer with an Adhân and an Igâmah when the morning light was clear. He again mounted al-Qaswâ', and when he came to Al-Mash'ar Al-Haram (The Sanctuary Landmark, which is a small mountain at al-Muzdalifah) he faced the Qiblah, and supplicated to Allah, Glorified Him, and pronounced His Uniqueness and Oneness, and kept standing until the daylight was very clear. Then he set off quickly before the sun rose, until he came to the bottom of the valley of Muhassir where he urged her (al-Qaswâ') a little. He followed the middle road, which comes out at the greatest Jamarah (one of the three stoning sites called Jamrat-ul 'Agabah'), he came to Jamarah which is near the tree. At this he threw seven small pebbles, saying, 'Allâhu Akbar' while throwing each of them in a manner in which small pebbles are thrown (holding them with his fingers) and this he did while at the bottom of the valley.

He then went to the place of sacrifice, and sacrificed sixty-three (camels) with his own hand (he brought 100 camels with him and he asked 'Alî to sacrifice the rest). The Messenger of Allah again rode and came to the House (of Allâh), where he performed Tawâf Al-Ifâdah and offered the Dhuhr prayer at Makkah...' Muslim transmitted this hadîth through a very long narration describing the full details of the Hajj of the Prophet ...

٧٦٢ ـــ وَعَـــنْ خُـــزَيْمَةُ بْنِ ثَابِت - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ كَانَ إِذَا فَرَغَ مِنْ تَلْبِيَتِهِ فِي حَجِّ أَوْ عُمْرَةٍ سَأَلَ اللَّهَ رِضْوَانَهُ وَالْحَنَّةَ وَاسْتَعَاذَ بِرَحْمَتِهِ مِنَ النَّارِ». رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ .

762. Khuzaimah bin Thâbit (RAA) narrated, 'When the Messenger of Allâh se finished his *Talbiyah* whether in *Hajj* or 'Umrah, he would ask Allâh for His good pleasure and acceptance and ask Him for Paradise, and would seek refuge in Him from Hell.' Related by Ash-Shâfi'î with a weak chain of narrators.

٧٦٣ ـــ وَعَـــنْ جَابِـــرِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «نَحَرْتُ هَا هُنَا ، وَمِنَّى كُلُّهَا مَنْحَرْ ، فَانْحَرُوا فِي رِحَالِكُمْ ، وَوَقَفْتُ هَا هُنَا وَعَرَفَةُ كُلُّهَا مَوْقِفٌ ، وَوَقَفْتُ هَا هُنَا وَجَمْعٌ كُلُّهَا مَوْقِفٌ». رَوَاهُ مُسْلِمٌ .

763. Jâbir (RAA) narrated that the Messenger of Allâh said, "I have offered my sacrifice here (at Minâ) and all of Minâ is a place for slaughtering, so sacrifice where you are staying (at Minâ). And I have stopped here <sup>227</sup> (at 'Arafât) and all of 'Arafât is a stopping place (for the Day of 'Arafah on the 9th of Dhul-Hijjah). And I have stood here, and all of Jam' (meaning al-Muzdalifah) is a place for standing." Related by Muslim.

٧٦٤ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا جَاءَ إِلَى مَكَّةَ دَخَلَهَا مِنْ أَعْلاَهَا ، وَخَرَجَ مِنْ أَسْفَلِهَا». مُتَّفَقٌ عَلَيْهِ .

764. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh came to Makkah, he entered from its higher side (a place now called *al-Mu'allâ gate*) and went out from its lower side (now called *Kudâ*).' Agreed upon.

<sup>227-</sup> The pilgrim is not literary asked to stand at 'Arafah on that day, but just to be physically and mentally present there, whether he is asleep, awake, riding, lying down etc.

٧٦٥ \_\_ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ لاَ يَقْدُمُ مَكَّةَ إِلاَّ بَاتَ بِـــــذِي طُوَى حَتَّى يُصْبِحَ وَيَغْتَسِلَ ، وَيَذْكُو ُ ذَلِكَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقَّ عَلَيْهِ .

765. Whenever Ibn 'Umar (RAA) came to Makkah he would spend the night at *Dhî* <u>Tuwâ</u> valley (near Makkah), and in the morning he would bathe. 'Ibn 'Umar used to say that this is what the Messenger of Allâh **\$\square\$**, used to do.' Agreed upon.

٧٦٦ \_ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ يُقَبِّلُ الْحَجَرَ الأَسْوَدَ وَيَسْجُدُ عَلَيْهِ». رَوَاهُ الْحَاكِمُ مَرْفُوعًا ، وَالْبَيْهَقِيُّ مَوْقُوفًا .

766. Ibn 'Abbâs (RAA) narrated that he used to kiss the Black Stone and prostrate himself on it. Related by Al-<u>H</u>âkim and Al-Baihaqî.<sup>228</sup>

٧٦٧ ـــ وَعَـــنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «أَمَرَهُمُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَرْمُلُوا ثَلاَّنُهُ أَشْوَاطٍ ، وَيَمْشُوا أَرْبَعًا ، مَا بَيْنَ الرُّكْنَيْنِ». مُتَّفُقٌ عَلَيْهِ .

767. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh , commanded them to trot for three circuits and walk (with a normal pace) for four circuits, between the two corners (The Black Stone and the Yemeni corner). Agreed upon.

٧٦٨ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ إِذَا طَافَ بِالْبَيْتِ الطُّوَافَ الأَوَّلُ خَبَّ ثَلاَّنًا ، وَمَشَى أَرْبَعًا» .

وَفِي رِوَايَة : «رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا طَافَ فِي الْحَجِّ أَوِ الْعُمْرَةِ أَوَّلَ مَا يَقْدُهُمُ فَإِنَّهُ يَسْعَى ثَلاَئَةَ أَطُوافِ بِالْبَيْتِ وَيَمْشِي أَرْبَعَةَ». مُتَّفَقٌ عَلَيْهِ .

768. Ibn 'Umar (RAA) narrated that whenever he made <u>Ta-wâf</u>round the Ka bah, he would trot during the first three circuits

<sup>228-</sup> This hadîth is reported to be weak, as it is reported with a weak chain of narrators. It has only been confirmed that the Messenger of Allâh & placed his hands on the Black Stone and kissed it, not that he prostrated on it. The hadîth of Umar (no. 770) proves this.

and walk the remaining four.

In another version, I saw the Messenger of Allâh  $\mathfrak{A}$ , when he made  $\underline{T}aw\hat{a}f_1$  whether on  $\underline{H}ajj$  or  $\underline{U}mrah$ , that he would trot for the first three circuits (of  $\underline{T}aw\hat{a}f$ ) and walk for the remaining four.' Agreed upon.

769. Ibn 'Umar (RAA) narrated, 'I never saw the Prophet stouch (place his hands on) any other part of the Ka bah except the two corners: The Black Stone and the Yemeni corner.' Related by Muslim.

770. 'Umar (RAA) narrated that he kissed the Black Stone and said, 'I know that you are a stone and can neither benefit anyone nor harm anyone. Had I not seen Allâh's Messenger kissing you, I would not have kissed you.' Agreed upon.

771. Abû At-Tufail (RAA) narrated, 'I saw Allâh's Messenger making Tawâf round the Ka'bah, and he was touching the corner (of the Black Stone) with a stick that he had with him and then kissing the stick.' Related by Muslim.

772. Ya'lî bin Umaiyah (RAA) narrated, 'The Messenger of Allâh made the <u>Tawâf</u> while wearing a green Yemeni mantle, bringing it up from under his right armpit while covering the left shoulder.' Related by the five Imâms except for An-Nasâ'î. At-Tirmidhî graded it as <u>Sahîh</u>.

٧٧٣ ـــ وَعَـــنْ أَنَـــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَ يُهِلُّ مِنَّا الْمُهِلُّ فَلاَ يُنْكُرُ عَلَيْه ، وَيُكَبِّرُ مَنَّا الْمُكَبِّرُ ۚ فَلاَ يُنْكَرُ عَلَيْه». مُتَّفَقٌ عَلَيْه .

773. Anas (RAA) narrated, 'When we assumed  $I\underline{h}r\hat{a}m$  (for  $\underline{H}ajj$  or 'Umrah') some of us raised their voices with Talbiyah and nobody objected to that, and others raised their voices with  $Takb\hat{i}r$  and no one objected to that (which means that saying  $All\hat{a}hu$  Akbar 'Allâh is the Greatest', or reciting the Talbiyah are both acceptable during  $I\underline{h}r\hat{a}m$ ).' Agreed upon.

٧٧٤ — وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «بَعَثْنِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الثَّقَلِ ، أَوْ قَالَ فِي الضَّعَفَةِ مِنْ حَمْعٍ بِلَيْلٍ». مُتَّفَقٌ عَلَيْهِ .

774. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh sent me at night from al-Muzdalifah (to Minâ) with the weak members of his family (women and children).'229 Agreed upon.

٧٧٥ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «اسْتَأْذَنَتْ سَوْدَةُ رَسُولَ اللَّهِ صَـّـلًى اللَّهِ عَنْهَا ، وَ"كَانَتْ نَبْطَةً - تَعْنِي ثَقِيلَةً - صَـّـلًى اللَّـــةُ عَلَيْهِ وَسُلَّمَ لَيُلَةَ الْمُزْدَلِفَةِ أَنْ تَدْفَعَ قَبْلَهُ ، وَ"كَانَتْ نَبْطَةً - تَعْنِي ثَقِيلَةً - فَأَذِنَ لَهَا». مُتَّفَقٌ عَلَيْهِ .

775. 'Â'ishah (RAA) narrated, 'Saudah(the wife of the Prophet (2) asked his permission, on the night of al-Muzdalifah, to leave earlier (to Minâ) as she was a heavy and slow woman.' The Prophet (2) gave her permission.' Agreed upon.

٧٧٦ ـــ وَعَنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ لَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «لاَ تَرْمُوا الْجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَفيه انْقَطَاعٌ .

776. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ said to us, "Do not throw the pebbles at Jamrah al-'Aqabah

<sup>229-</sup> It is Sunnah to spend the night at Muzdalifah and start going to Minâ after Fajr. This narration however, indicates that it is permissible for the women and children (the weak members on the journey) to leave to Minâ at night.

until sunrise." Related by the five Imams except An-Nasa'i, but with a disconnected chain of narrators.

٧٧٧ ـــ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَرْسَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ بِـــأُمُّ سَلَمَةَ لَيْلَةَ النَّحْرِ ، فَرَمَتِ الْجَمْرَةَ قَبْلَ الْفَحْرِ ؛ ثُمَّ مَضَتْ فَأَفَاضَتْ». رَوَاهُ أَبُو دَاوُدَ ، وَإِسْنَادَهُ عَلَى شَرْطِ مُسْلِمٍ .

777. 'Â'ishah (RAA) narrated, 'The Prophet sent Umm Salamah on the night of the 10<sup>th</sup> (before the day of the Sacrifice) and she threw her pebbles before dawn, after which she returned to Makkah to perform <u>Tawâf</u>.' Related by Abû Dawûd.

778. Urwah bin Mudarras (RAA) narrated that the Messenger of Allâh said, "Anyone who offered this prayer -at al-Muzdalifah- along with us, and waited with us until we returned to Minâ, and he stayed at 'Arâfât (on the 9th) before that by night or day, he would have completed the prescribed duties of <u>Hajj</u>." Related by the five Imâms. At-Tirmidhî and Ibn Khuzaimah graded it as <u>Sahîh</u>.

٧٧٩ ـــ وَعَـــنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «إِنَّ الْمُشْرِكِينَ كَانُوا لاَ يُقِيضُونَ حَـــتَّى تَطْلُــعَ الشَّــمْسُ ، وَيَقُولُونَ : أَشْرِقْ ثَبِيرُ ، وَإِنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَالَفَهُمْ ، فَأَفَاضَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ». رَوَاهُ البُخَارِيُّ .

779. Umar (RAA) narrated, 'The pagans did not use to depart from Muzdalifah until the sun had risen, and they would say, 'Let the sun shine on Thabîr (the highest mountain in Makkah). The Messenger of Allâh ﷺ contradicted them and departed from Muzdalifah before sunrise.' Related by Al-Bukhârî.

٠٨٠ ـــ وَعَنِ ابْنِ عَبَّاسٍ وَأُسَامَةً بْنِ زَيْدٍ – رَضِيَ اللَّهُ عَنْهُمْ – قَالاً : «لَمْ يَزَلِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُلَنِّي حَتَّى رَمَى حَمْرَةَ الْعَقَبَة». رَوَاهُ الْبُخَارِيُّ .

780. Ibn 'Abbâs and Usâmah bin Zaid (RAA) narrated, 'The Messenger of Allâh kept on reciting *Talbiyah* until he threw the pebbles at *Jamrat-ul 'Aqabah..*' Related by Al-Bukhârî.

٧٨١ ـــ وَعَـــنْ عَبْدِ اللَّهِ بْنِ مَسْعُودِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ جَعَلَ الْبَيْتَ عَنْ يَسَــــارِهِ ، وَمَنَّى عَنْ يَمِينِهِ ، وَرَمَى الْجَمْرَةَ بِسَبْعِ حَصَيَاتٍ ، وَقَالَ : هَذَا مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ». مُتَّفَقٌ عَلَيْهِ .

781. 'Abdullâh bin Mas'ûd (RAA) narrated that he kept the Ka'bah on his left and Minâ on his right and threw the seven pebbles of Jamrat-ul 'Aqabah. He then said, 'This is the location where the one on whom sûrah al-Baqarah (sûrah no. 2) was revealed<sup>230</sup> (i.e. the Messenger of Allâh ½).' Agreed upon.

٧٨٢ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَمَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْجَمْرَةَ يَوْمُ النَّحْرِ ضُحَى ، وَأَمَّا بَعْدَ ذَلِكَ فَإِذَا زَالَتِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ .

782. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh threw Jamrat-ul 'Aqabah on the Day of Sacrifice (the 9th of Dhul Hijjah) in the forenoon. On the following days he threw them when the sun had passed its meridian.' Related by Muslim.

٧٨٣ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّهُ كَانَ يَرْمِي الْجَمْرَةَ الدُّنْيَا بِسَبْعِ حَصَيَاتٍ ، يُكَبِّرُ عَلَى أَثْرِ كُلَّ حَصَاةٍ ، ثُمَّ يَتَقَدَّمُ ، ثُمَّ يُسْهِلُ ، فَيَقُومُ فَيَسْتَقْبِلُ الْقِلْهَ ، ثُمَّ يَدْعُو وَيَرْفَعُ يَدَيْهِ وَيَقُومُ طَوِيلًا ، ثُمَّ الْوُسْطَى ، ثُمَّ يَاْخُذُ ذَاتَ الشَّمَالِ فَيُسْهِلُ ، وَيَقُومُ طَوِيلًا ، ثُمَّ يَدْعُو فَيَرْفَعُ يَدَيْهِ وَيَقُومُ طَوِيلًا ، ثُمَّ يَرْمِي جَمْرَةَ فَلَسْهِلُ ، وَيَقُومُ طَوِيلًا ، ثُمَّ يَرْمِي جَمْرَةَ ذَاتَ الشَّمَالِ ذَاتَ الْعَقْلَةِ ، ثُمَّ يَدْعُو فَيَرْفَعُ يَدَيْهِ وَيَقُومُ طَوِيلًا ، ثُمَّ يَرْمِي جَمْرَةَ وَلَا لَهُ عَلَيْهِ وَلَا يَقِفُ عَنْدَهَا ، ثُمَّ يَنْصَرِفُ ، فَيَقُولُ : هَكَذَا رَأَيْتُ رَسُولَ اللّه صَلّى اللّهُ عَلَيْه وَسَلّمَ يَفْعَلَهُ». رَوَاهُ البُخارِيُّ .

<sup>230-</sup> He is referring to the place where the Messenger of Allâh 蹇 stood to throw the pebbles.

783. Ibn 'Umar (RAA) narrated that he used to throw the pebbles of al-Jamrat ud-Duniyâ (the Jamrah near to the Khaif mosque) with seven small pebbles, and would recite Takbîr when throwing each pebble. Then he would go ahead until he reached the bottom of the valley, where he would stand for quite a long time facing the direction of the Qiblah, and raising his hands, while supplicating Allâh. Then he went and threw seven pebbles at the second Jamrah (al-Jamarah al-Wostâ) while saying Allâhu Akbar with each throw. He would then turn to the left of the bottom of the valley, stand there facing the Qiblah and supplicating to Allâh with his hands raised. Then he went to Jamrat-ul 'Aqabah, threw seven pebbles at it, uttering the Takbîr with each throw. After that he left and did not pause. He would then say, 'I saw the Prophet along like this.' Related by Al-Bukhârî.

٧٨٤ ــ وَعَــنْهُ - رَضِــيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «اللَّهُـــمَّ ارْحَــمِ الْمُحَلَّقِــينَ» قَالُوا : وَالْمُقَصَّرِينَ يَا رَسُولَ اللَّهِ ، قَالَ فِي التَّالَنَةِ :
 «وَالْمُقَصِّرِينَ». مُتَّفَقٌ عَلَيْهِ .

784. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "May Allâh bless those who shaved." The Companions asked him, 'O Allâh's Messenger, what about those who cut their hair short? They repeated their question twice (and each time he repeated his saying, 'May Allâh bless those who shaved.'231)On the third time, the Messenger of Allâh then said, "And (may Allâh

٧٨٥ ـــ وَعَـــنُ عَبْد اللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهَ صَــــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَفَ فِي حَجَّةِ الوْدَاعِ ، فَجَعَلُوا يَسْأَلُونَهُ ، فَقَالَ رَجُلٌ : لَمُ أَشْـــعُرْ ، فَحَلَقْتُ قَبْلَ أَنْ أَذْبُحَ ، قَالَ : «اذْبُحْ وَلاَ حَرَجَ»، وَجَاءَ آخَرُ ، فَقَالَ : لَمْ

bless) those who cut their hair short." Agreed upon.

<sup>231-</sup> In one version of this hadîth, the Messenger of Allâh 第 made a supplication for those who shaved three times, and in the fourth he supplicated Allâh for those who cut their hair short. In another version he supplicated for those who shaved twice, and the third time he supplicated Allâh for those who cut their hair short.

أَشْعُرْ ، فَنَحَرْتُ قَبْلُ أَنْ أَرْمِيَ ، قَالُ : «ارْمِ وَلاَ حَرَجَ» ، فَمَا سُتِلَ يَوْمَتِذِ عَنْ شَيْءٍ قُدِّمَ وَلاَ أُخِّرَ إِلاَّ قَالَ : «افْعِلْ وَلاَ حَرَجَ». مُتَّفَقٌ عَلَيْهِ .

785. 'Abdullâh Ibn 'Amro bin al-'Âs (RAA) narrated that the Messenger of Allâh stood in Minâ during the Farewell Hajj, while the people asked him questions and he answered them. A man asked, 'O Prophet of Allâh! I was not alert and I shaved my head before slaughtering my animal?' The Prophet said, "There is no harm, go and slaughter your animal." Another man asked, 'I slaughtered the animal before I threw the pebbles?' Prophet said, "There is no harm, go and throw your pebbles." The narrator said: "Whoever asked the Prophet about anything done before or after the other he told him "No harm done. Go and do (whatever you missed)." Agreed upon.

٧٨٦ ـــ وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَحَرَ قَبْلَ أَنْ يَحْلِقَ ، وَأَمَرَ أَصْحَابَهُ بِذَلِكَ». رَوَاهُ الْبُخَارِيُّ .

786. Al-Maisûr bin Makhramah (RAA) narrated, 'The Messenger of Allâh ﷺ sacrificed his animal before he shaved and commanded his companions to do so.' Related by Al-Bukhârî.

٧٨٧ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «إِذَا رَمَيْـــتُمْ وَحَلَقْـــتُمْ فَقَدْ حَلَّ لَكُمُ الطِّيبُ ، وَكُلُّ شَيْءٍ إِلاَّ النِّسَاءَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

787. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh ﷺ said, "When one of you threw the pebbles and shaved his hair, everything including perfume becomes lawful for him except women (i.e. sexual intercourse)." Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٧٨٨ ـــ وَعَـــنِ ابْـــنِ عَيَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَيْسَ عَلَى النِّسَاءِ حَلْقٌ ، وَإِنَّمَا يُقَصِّرْنَ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

788. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

said, "Women (pilgrims) so not have to shave (their heads); they may only shorten their hair." Related by Abû Dawûd with a good chain of narrators.

٧٨٩ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ الْعَبَّاسَ بْنَ عَبْدِ الْمُطَّلِبِ اسْـــتَأْذَنَ رَسُـــولَ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيتَ بِمَكَّةَ لَيَالِيَ مِنَّى ، مِنْ أَجْلِ سِقَايَتِهِ ، فَأَذِنَ لَهُ». مُتَّفَقٌ عَلَيْهِ .

789. Ibn 'Umar (RAA) narrated that 'Al-'Abbâs bin 'Abdul Muttalib asked permission from the Prophet to stay at Makkah during the nights of *Minâ* in order to provide drinking water (from Zamzam) to the pilgrims, and the Prophet to allowed him.' Agreed upon.

٧٩٠ ـــ وَعَنْ عَاصِمٍ بْنِ عَدِيِّ : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ لِرِعَاءِ الإِبِــلِ فِـــي الْبَيْتُوتَةِ يَرْمُونَ يَوْمَ النَّحْرِ ، ثُمَّ يَرْمُونَ الْغَدَ وَمِنْ بَعْدِ الْغَدِ لِيَوْمَيْنِ ، ثُمَّ يَرْمُونَ يَوْمَ النَّفْرِ». رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ .

790. 'Âsim bin 'Adî (RAA) narrated that the Messenger of Allâh sexcused the herdsmen of camels from sleeping at Minâ and asked them to throw pebbles on the day of sacrifice (i.e. throw Jamrat-ul 'Aqabah and they do not have to spend the night at Minâ), and then to throw the pebbles of the next day and the day after (i.e. of the 11th and the 12th) combined (on the 12th), and then throw pebbles again on the 13th.' Related by the five Imâms. At-Tirmidhî and Ibn Hibbân graded it as Sahîh.

٧٩١ ـــ وَعَـــنْ أَبِي بَكَرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «خَطَبَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يَوْمَ النَّحْرِ» الْحَدِيثَ . مُتَّفَقَّ عَلَيْهِ .

791. Abû Bakrah (RAA) narrated that the Messenger of Allâh  $\frac{1}{2}$  delivered a sermon to us on the Day of Nahr (sacrifice) (and the narrator mentioned the sermon.).' Agreed upon.

٧٩٢ ـــ وَعَـــنْ سَـــرَّاءَ بِنْتِ نَبْهَانَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : خَطَبَنَا رَسُولُ اللَّهِ صَــــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ يَوْمَ الرُّؤُسِ فَقَالَ : «أَلَيْسَ هَذَا أَوْسَطَ أَيَّامِ التَّشْرِيقِ ؟» الْحَدِيثَ . رواه أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ .

792. Sarrâ' bint Nabhân<sup>232</sup> (RAA) narrated, 'The Messenger of Allâh delivered a sermon to us on the second day of sacrifice, 'Yaum ar-Ru'ûs' (11<sup>th</sup> of Dhul -<u>H</u>ijjah) and said, "Is this not the middle of the days of Tashrîq?" <sup>233</sup> Related by Abû Dawûd.

٧٩٣ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهَا : «طَوَافُكِ بِالْبَيْتِ وَسَعْيُكِ بَيْنَ الصَّفَا وَالْمَرْوَةِ يَكُفِيكِ لِحَجِّكِ وَعُمْرَتِكِ».رَوَاهُ مُسْلِمٌ

793. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh said to her, "Your <u>Tawâf</u>by the Ka'bah and your Sa'î between <u>Safâ</u> and <u>Marwah</u> is sufficient for both your <u>Hajj</u> and <u>Umrah</u> (i.e. one <u>Tawâf</u>and one <u>Sa'î</u> are sufficient as she combined <u>Hajj</u> and 'Umrah.')' Related by Muslim.

٧٩٤ ـــ وَعَنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمْ يَرْمُلُ فِي السَّبْعِ الَّذِي أَفَاضَ فِيهِ». رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

794. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh did not trot during the seven circuits made in the final <u>Tawâf</u> when he returned to Makkah.' Related by the five Imâms except at-Tirmidhî. Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

٧٩٥ ـــ وَعَـــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى الظَّهْرَ وَالْعَصْرَ وَالْمَغْرِبَ وَالْعِشَاءَ ، ثُمَّ رَقَدَ رَقْدَةً بِالْمُحَصَّبِ ، ثُمَّ رَكِبَ إِلَى الْبَيْتِ فَطَافَ بِه». رَوَاهُ الْبُحَارِيُّ .

<sup>232-</sup> She was mistress of a temple in pre-Islâmic days.

<sup>233-</sup> The days of Tashrîq are 11th, 12th, and 13th of Dhul Hijjah, but probably the Prophet # means that it is the best of its days, or maybe the middle counting the day of sacrifice with them, as Yaum ar-Ru'us' is by conesnsus the 11th.

795. Anas (RAA), narrated, The Messenger of Allâh se rested for a while at al-Muhassab (a valley opening at al-Abtah between Makkah and Minâ) prayed Dhuhr, 'Asr, Maghrib and Ishâ' prayers after which he rode to the Ka'bah and made Tawâf.' Related by Al-Bukhârî.

٧٩٦ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّهَا لَمْ تَكُنْ تَفْعَلُ ذَلِكَ - أَي النُّتُرُولَ بِـــالإِبْطَحِ - وَتَقُـــولُ : إِنَّمَا نَزَلَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لأَنَّهُ كَانَ مَنْزِلاً أَسْمَحَ لِخُرُوجِهِ». رَوَاهُ مُسْلِمٌ .

796. Â'ishah (RAA) narrated that she did not use to do that – i.e. rest at al-Muhassab- and said, 'The Messenger of Allâh rested at al-Muhassab, because it was easier to stop there and depart from (i.e. it is not a Sunnah to rest there'). Related by Muslim.

٧٩٧ ــ وَعَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - فَالَ : ﴿أُمِرَ النَّاسُ أَن يَكُونَ آخِرَ عَهْدِهِمْ بِالْبَيْتِ ، إِلاَّ أَنَّهُ خُفُّفَ عَنِ الْحَائِضِ». مُتَّفَقٌ عَلَيْهِ .

797. Ibn 'Abbâs (RAA) narrated, 'People were commanded to make the *Tawâf* round the *Ka'bah* their last rite;(Farewell <u>Tawâf</u>) but the menstruating women were excused from it.' Agreed upon.

٧٩٨ \_ وَعَنِ ابْنِ الزُّبَيْرِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «صَــلَاةٌ فِيمَا سُوَاهُ إِلاَّ الْمَسْجِدَ وَسَــلَمَ : «صَــلَاةٌ فِيمَا سُوَاهُ إِلاَّ الْمَسْجِدَ الْحَرَامِ أَفْضَلُ مِنْ أَلْفِ صَلَاةٌ فِيمَا سُوَاهُ إِلاَّ الْمَسْجِدَ الْحَرَامِ أَفْضَلُ مِنْ صَلَاةٌ فِي مَسْجِدِي هَذَا يِمِائَةَ صَلَاةً». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

798. Ibn Az-Zubair (RAA) narrated that the Messenger of Allâh said, "Offering prayer in my mosque (in Madînah) is better than one thousand prayers elsewhere, save for those offered prayer in al-Masjid al-Harâm (in Makkah). And prayer offered in al-Masjid al-Harâm is better than prayer offered in my mosque by one hundred prayers." Related by Ahmad and Ibn Hibbân graded it as Sahîh.

## بَسابُ الْفَسوَاتِ وَالإِحْصَسارِ

# Chapter VI: Missing the Pilgrimage or being detained (I<u>h</u>-sâr)

٧٩٩ ـــ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «أُحْصِرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَحَلَقَ رَأْسَهُ ، وَجَامَعَ نِسَاءَهُ ، وَنَحَرَ هَدْيَهُ ، حَتَّى اعْتَمَرَ عَامًا قَابِلاً». رَوَاهُ الْبُخَارِيُّ .

799. Ibn 'Abbâs (RAA) narrated, 'When the Prophet se was prevented from performing 'Umrah (by Quraish) he shaved his head, had intercourse with his wives and slaughtered his animal. The next year he performed 'Umrah to make up for the year that he had missed.' Related by Al-Bukhârî.

٨٠٠ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ بْنِ عَبْدِ الْمُطَّلِبِ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنِّي أُرِيدُ الْحَجَّ ، وَلَّنَا ضَاكِيةٌ ، فَقَالَ اللَّهِ عَلَيْهِ وَسَلَّمَ : «حُجِّي وَاشْتَرِطِي أَنْ مَحَلِّي حَيْثُ حَبْثُ حَبْثَيْهِ وَسَلَّمَ : «حُجِّي وَاشْتَرِطِي أَنْ مَحَلِّي حَيْثُ حَبْثَيْهِ .
 حَبْستَنِي». مُتَّفَقٌ عَلَيْهِ .

800. 'Â'ishah (RAA) narrated, 'The Messenger of Allâh sewent to visit Dubâ'ah bint Az-Zubair bin 'Abdul Muttalib. She said to him, 'O Messenger of Allâh I have made the intention to perform <u>Hajj</u> but I am suffering from an illness.' He said to her, "Perform <u>Hajj</u> but set a condition that you shall be relieved of the <u>Ih</u>râm whenever you are prevented (due to illness, etc..)."234 Agreed upon.

٨٠١ ـــ وَعَنْ عِكْرِمَةَ عَنِ الْحَجَّاجِ بْنِ عَمْرِو الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ :
 قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ كُسِرَ ، أَوْ عَرِجَ ، فَقَدْ حَلَّ وَعَلَيْهِ الْحَجُّ

<sup>234-</sup> This indicates that a muhrim can preset a condition that if he is prevented from performing Hajj or 'Umrah then he is relieved from his Ihrâm whenever he is prevented.

مِـــنْ قَابِلِ» قَالَ عِكْرِمَةُ : فَسَأَلْتُ ابْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ عَنْ ذَلِكَ ، فَقَالاً : صَدَقَ . رَوَاهُ الْخَمْسَةُ ، وَحَسَّنَهُ التَّرْمِذِيُّ .

801. Tkrimah narrated on the authority of Al-Hajjâj bin 'Amro al-Ansârî (RAA), that the Messenger of Allâh said, "If anyone breaks (a leg) or becomes lame (while he was performing Hajj or 'Umrah) he is released from him Ihrâm and must perform Hajj the next year.' Tkrimah said, 'I asked Ibn 'Abbâs and Abû Hurairah about this statement of Al-Hajjâj, and they said that he had spoken the truth. Related by the five Imâms. At-Tirmidhî graded it as Hasan

# كِتَـــابُ الْبُيُـــوعِ

#### **Book VII: Business Transactions**

### بَابُ شُرُوطِهِ، وَمَا نُهِمَ عَنْهُ

# Chapter I: Conditions of Business Transactions and Those which are Forbidden

٨٠٢ ــ عَـــنْ رِفَاعَةَ بْنِ رَافِعٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - سُـئِلَ : «عَمَلُ الرَّحُلِ بِيَدِهِ ، وَكُلُّ بَيْعٍ مَبْرُورٍ». رَوَاهُ الْبَرَّارُ ، وَصَحَّحَهُ الْحَاكِمُ .

802. Rifâ'ah bin Râfi' (RAA) narrated that the Messenger of Allâh was asked, 'Which type of earning is the best?' He said, "A man's earning through working with his own hands, and every business transaction which is approved (which is <u>Halâl</u> and free of cheating etc...).' Related by Al-Bazzâr and al-Hâkim graded it as <u>Sahîh</u>

٨٠٣ ــ وَعَــِنْ جَابِرِ بْنِ عَبْدِ اللّهِ - رَضِيَ اللّهُ عَنْهُمَا - أَنَّهُ سَمِعَ رَسُولَ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ يَقُولُ عَامَ الْفَتْحِ ، وَهُو بِمَكَّةَ : «إِنَّ اللّهَ حَرَّمَ بَيْعَ الْحَمْرِ ، وَالْمَيْتَةِ ، وَالْحَنْزِيرِ ، وَالإصْنَامِ» فَقِيلَ : يَا رَسُولَ اللّهِ ، أَرَأَيْتَ شُحُومَ الْمَيْتَة ، فَإِنَّهَا تُطْلَى بَهَا السَّـفُنُ ، وَتُدْهَنُ بِهَا الْجَلُودُ ، وَيَسْتَصْبِحُ بِهَا النَّاسُ ؟ فَقَالَ : «لا ، هُو حَرَامٌ» ثُمَّ السَّـفُنُ ، وَتُدْهَنُ بِهَا اللّهُ عَلَيْهِ وَسَلّمَ عَنْدَ ذَلِكَ : «قَاتَلَ اللّهُ الْيَهُودَ ، إِنَّ اللّهَ تَعَالَى لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا جَمَلُوهُ ، ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ». مُتَّفَقٌ عَلَيْه .

803. Jâbir bin 'Abdullâh (RAA) narrated, 'He heard the Messenger of Allâh ﷺ say in the year of the Conquest (of Makkah) while he was in Makkah, "Allâh has prohibited the sale of alcohol, dead animals, pigs, and idols." People asked, 'O Messenger of Allâh! What about the fat of dead animals, it is used for

greasing boats and skins and people use it for making oil for lamps.' He said, 'No, it is <u>Harâm</u>." The Messenger of Allâh then added, "May Allâh curse the Jews, for Allâh made the fat (of animals) <u>Harâm</u> (unlawful) for them, yet they melted the fat, sold it and ate its price." Agreed upon.

٨٠٤ ــ وَعَنْ ابْنِ مَسْعُود - رَضِيَ اللهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللهِ صَلَى اللهِ صَلَى اللهِ عَنْهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا اخْتَلَفَ الْمُتَبَايِعَانِ وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ ، فَالقَوْلُ مَا يَقُولُ رَبُّ السَّلْعَةِ أَوْ يَتَتَارَكَانِ» رَوَاهُ الْحَمْسَةُ وَصَحَحَهُ الْحَاكِمُ .

804. Ibn Mas'ûd (RAA) narrated, 'I heard the Messenger of Allâh say, "When two business dealers dispute (over a business dealing) and none of them has evidence to prove his case, the final word is left to the seller or they may both abandon the deal." Related by the five Imâms and al-<u>H</u>âkim graded it as <u>Sahîh</u>

ه ٨٠٠ \_ وَعَــنْ أَبِي مَسْعُود الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنَهُ - : «أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ ثَمَنِ الْكَلْبِ ، وَمَهْرِ الْبَغِيِّ ، وَحُلُوانِ الْكَاهِنِ». مُتَّفَقُ عَلَيْهِ . 805. Abû Mas'ûd al-Ansârî (RAA) narrated, "The Messenger of Allâh ﷺ prohibited taking the price of a dog, the earnings of a prostitute and the fees taken by a soothsayer.' Agreed upon.

٨٠٦ — وَعَنْ حَابِرِ بْنِ عَبْد اللّه أَنّهُ كَانَ عَلَى جَمَلٍ لَهُ قَدْ أَعْيَى ، فَأَرَادَ أَنْ يُسَيّبَهُ ، قَالَ : فَلَحقَنِي النّبِيُّ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ ، قَدَعَا لِي ، وَضَرَبَهُ ، فَسَارَ سَيْرًا لَمْ يَسِرْ مَثْلَهُ ، فَقَالَ : «بعْنيه» فَبعْنُهُ بأوقيَّة ، وَاشْتَرَ طُتُ مِثْلَهُ ، فَقَالَ : «بعْنيه» فَبعْنُهُ بأوقيَّة ، وَاشْتَرَ طُتُ مُثْلَهُ ، فَقَالَ : «بعْنيه» فَبعْنُهُ بأوقيَّة ، وَاشْتَرَ طُتُ حُمْلاَنَهُ إِلَى أَهْلِي ، وَفَلَمَّا بَلَغْتُ أَتَيْنُهُ بِالْحَمَلِ ، فَنَقَدَنِي ثَمَنَهُ ، ثُمَّ رَجَعْتُ فَأَرْسَلَ فِي خُمُلانَهُ إِلَى أَهْلِي ، وَهَذَا السِّيَاقُ لِمُسْلِم . لَكَ مُلَكَ ؟ خُذْ جَمَلَكَ وَدَرَاهِ مَكَ ، فَهُو لَكَ ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا السِّيَاقُ لِمُسْلِم .

806. Jâbir bin 'Abdullâh (RAA) narrated, 'That he was once traveling on his camel which had become so slow that he intended to get rid of it. The Prophet passed by (after Jâbir told him the

story), and poked the camel with his stick, and asked Jâbir to ride it again. The camel was much faster than it had ever been before. The Messenger of Allâh then said to Jâbir, "Sell it to me for one Uqiyah (ounce) of gold." Jâbir said, 'No.' He again said, "Sell it to me for one Uqiyah of gold". Jâbir says, 'I sold it for one Uqiyah and stipulated that I should ride it to my house.' When we reached (Madînah) I took that camel to the Prophet and he gave me its price. I returned home but he sent for me (and when I went to him) he said, "Do you think that I asked you to reduce the price to take your camel? Take your camel and your money it is all yours." Agreed upon and this is Muslim's version.

807. Jâbir (RAA) narrated, 'A man decided that a slave of his would be free after his death, but the man had no other property. The Messenger of Allâh \$\mathbb{z}\$ took the slave and called (the people) for one to buy him (from the Prophet \$\mathbb{z}\$), and he sold him.'235 Agreed upon.

٨٠٨ — وَعَـــنْ مَيْمُونَةَ زَوْجِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ فَأْرَةً وَقَعَتْ فِي سَمْنٍ ،
 فَمَاتَـــتْ فِيهِ ، فَسُئِلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْهَا ، فَقَالَ : «أَلْقُوهَا وَمَا حَوْلُهَا وَكُلُوهُ». رَوَاهُ البُحَارِيُّ ، وَزَادَ أَحْمَدُ ، وَالنَّسَائِيُّ : «فِي سَمْنِ جَامِدِ».

808. Maimûnah (the wife of the Prophet ﷺ) (RAA) narrated that the Messenger of Allâh ﷺ was asked about a mouse that fell into a pot of clarified butter, and died inside it. He said, "Take out (the mouse) and what is around it, and throw it away. Then eat (the rest of) your clarified butter." Related by Al-Bukhârî. Ahmad and an-Nasâ'î added the following, 'in solid clarified butter'.

<sup>235-</sup> In the narration of Al-Bukhârî, Nu'aim bin 'Abdullâh bought him and paid 800 Dirhams. Scholars say that this <u>H</u>adîth is evidence that the ruler can sell the property of a man who is bankrupt and divide the money among his debtors or give it to him to spend (as in this <u>H</u>adîth).

٨٠٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا وَقَعَتِ الْفَأْرَةُ فِي السَّمْنِ ، فَإِنْ كَانَ جَامِدًا فَأَلْقُوهَا وَمَا حَوْلَهَا ، وَإِنْ كَانَ جَامِدًا فَأَلْقُوهَا وَمَا حَوْلَهَا ، وَإِنْ كَانَ مَا يُعَلِّدُ اللّهُ عَلَيْهِ اللّهُ عَلْهُ وَاللّهُ عَلَيْهِ اللّهُ عَلْهُ اللّهُ عَلَيْهِ اللّهُ عَلَيْهِ اللّهُ عَلّهُ اللّهُ عَلَيْهِ اللّهُ عَلَيْهِ اللّهُ عَلْهُ اللّهُ عَلَيْهِ اللّهُ عَلَيْهُ اللّهُ اللّهُ عَلَيْهِ اللّهُ عَلَيْهِ اللّهُ عَلَيْهِ اللّهُ اللّهُ عَلَيْهُ اللّهُ الللّهُ اللّهُ الللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ الللّهُ الللّهُ اللّهُ الللّهُ الللّهُ اللللهُ اللّهُ اللّهُ الللللهُ الللللّهُ اللللهُ الللهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ الللللهُ اللّهُ اللل

809. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If a mouse fell into a pot of clarified butter, and the butter is solid, take it (the mouse) and what is around it out and throw it away. But if the butter was melted (i.e. in a liquid state) do not touch it (i.e. throw it all away)." Related by Ahmad and Abû Dawûd. Al-Bukhârî and Abû Hâtim ruled it to be weak.

٨١٠ ــ وَعَنْ أَبِي الزُّبَيْرِ قَالَ: «سَأَلْتُ جَابِرًا - رَضِيَ اللَّهُ عَنْهُ - عَنْ ثَمَنِ السَّنَوْرِ وَالْكَلْبِ فَعَلْمِ فَعَنْ فَلِكَ». رَوَاهُ مُسْلَمٌ ، وَالْكَلْبِ فَسَلَمٌ عَنْ ذَلِكَ». رَوَاهُ مُسْلَمٌ ، وَالنَّسَائِيُّ ، وَزَادَ: «إِلاَّ كَلْبَ صَيْدٍ».

810. Abû Az-Zubair (RAA) narrated, 'I asked Jâbir about the price of cats and dogs.' He answered me, 'The Messenger of Allâh rebuked that.' Related by Muslim. In a version by An-Nasâ'î, he added, "Except that of a hunting dog." 236

٨١١ ــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - فَالَتْ : حَاءَثْنِي بَرِيرَةُ ، فَقَالَتْ : إِنِّي كَاتَبْــتُ أَهْلِي عَلَى تَسْعِ أُوَاقَ ، فِي كُلِّ عَامٍ أُوقِيَّةٌ ، فَأَعِينِينِي ، فَقُلْتُ : إِنْ أَحَبَّ أَهْلُهَا ، فَقَالَتْ أَهْلُهَا ، فَقَالَتْ أَهْلُهَا ، فَقَالَتْ أَهْلُها ، فَقَالَتْ لَهُ مَ وَيَكُونَ وَلاَؤُك لِي فَعَلْتُ ، فَذَهَبَتْ بَرِيرَةُ إِلَى أَهْلَهَا ، فَقَالَتْ لَهُ الله عَلَيْهِ وَسَلَّمَ حَالِسٌ لَهُ عَلَيْهِ وَسَلَّمَ حَالِسٌ فَقَالَت : إِنِّي قَدْ عَرَضْتُ ذَلِكَ عَلَيْهِمْ فَأَبَوا إِلاَّ أَنْ يَكُونَ الْوَلاَءَ لَهُمْ ، فَسَمِعَ النَّبِيُ وَسَلَّمَ ، فَقَالَ : «خُذِيهَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «خُذِيهَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «خُذِيهَا

<sup>236-</sup> There is a consensus among the scholars about the price of the dog except the one used for hunting or guarding. They differed over the price of a cat, but they agreed to selling it if it is used for a certain benefit.

وَاشْ ــتَرِطِي لَهُـــمُ الْــوَلاَءَ ، فَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ» ، فَفَعَلَتْ عَائِشَةُ - رَضِيَ اللَّهُ عَلَيْهِ وَسَلَّمَ فِي النَّاسِ ، فَحَمِدَ اللَّهَ وَأَنْنَى عَلَيْهِ ، ثُمَّ قَالَ : «أَمَّا بَعْدُ ، فَمَا بَالُ رِجَالِ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كَتَابِ اللَّهِ عَلَيْهِ ، ثُمَّ قَالَ : «أَمَّا بَعْدُ ، فَمَا بَالُ رِجَالِ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كَتَابِ اللَّهِ عَلَيْهِ ، ثُمَّ قَالَ : وَأَمَّا بَعْدُ ، فَمَا بَالُ رِجَالِ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كَتَابِ اللَّهِ فَهُو بَاطِلٌ ، وَإِنْ كَانَ مَائَةً بَعَـالَى - ؟ مَــا كَانَ مِنْ شَرْط لَيْسَ فِي كَتَابِ اللَّهِ فَهُو بَاطِلٌ ، وَإِنْ كَانَ مَائَةً شَرْط ، فَضَاءُ اللَّهِ أَحْقُ ، وَأَشَرُطُ اللَّهِ أَوْنَقُ ، وَإِنَّمَا اللَّهِ أَوْنَقُ ، وَإِنَّمَا اللَّهِ أَوْنَقُ ، وَإِنَّمَا اللَّهِ أَوْنَقَ . مَتَّفَقٌ عَلَيْهِ ، وَاللَّهُ لِلْبُحَارِيِّ .

وَعِنْدَ مُسْلِمٍ قَالَ: «اشْتَرِيهَا وَأَغْتِقِيهَا وَاشْتَرِطِي لَهُمْ الْوَلاَءَ».

'À'ishah (RAA) narrated, 'Barîrah came to me and said, 'I have made an agreement with my masters to pay them nine Uqiyas (ounces, of gold) (in installments) one Uqiyah per year, so please help me (to pay the money).' A'ishah replied, 'I am ready to pay the whole amount now provided your masters agree that your Walâ'237 will be for me.' Barîrah went back to her masters and told them about that offer but they refused to accept it. She returned, and at that time, the Messenger of Allah 3 was present (at 'Â'ishah's house). Barîrah said to 'Â'ishah, "I told them about the offer but they did not accept it and insisted on having the Walâ' for themselves.' The Prophet & heard that, and 'A'ishah narrated the whole story to him. He then said to her, "Buy her and stipulate that the Walâ' should be yours, as Walâ' is (legally) for the manumitter." 'Â'ishah (RAA) did so and the Messenger of Allâh stood up in front of the people, and after glorifying and praising Allâh, he said, "What about the people who impose conditions which are not in Allah's Book (i.e. contradictory to Islâmic Sharî ah)? "Every condition that is not found in the Book of Allâh is invalid, even if its number is one hundred. Allâh's decisions are the right ones and His conditions are the firmer ones, and the Walâ' is for the manumitter." Agreed upon and the wording is from Al-Bukhârî.

In Muslim's version, "Buy her and manumit her, and stipulate that her Walâ' loyalty is yours."

<sup>237-</sup> Walâ' refers to the right of inheriting the property of a manumitted slave after his death. The one who has the most right to inherit from him is the one who manumitted him.

٨١٢ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى عُمَرُ عَنْ بَيْعِ أُمَّهَاتِ الأَوْلاَدِ فَقَالَ : «نَهَى عُمَرُ عَنْ بَيْعِ أُمَّهَاتِ الأَوْلاَدِ فَقَالَ : لاَ تُبَاعُ ، وَلاَ تُورَثُ ، يَسْتَمْتِعُ بِهَا مَا بَدَا لَهُ ، فَإِذَا مَاتَ فَهِيَ حُرَّةٌ». رَوَاهُ مَالِكٌ ، وَالْبَيْهَقِيُّ ، وَقَالَ : رَفَعَهُ بَعْضُ الرُّوَاةِ ، فَوَهِمَ .

812. Ibn 'Umar (RAA) narrated, 'Umar (RAA) prohibited selling the mothers of children<sup>238</sup> and said, 'She is not to be sold, given as a gift, or inherited, but her owner is to enjoy her (in sexual intercourse) as long as he lives. When he dies she becomes free.' Related by Mâlik and Al-Baihaqî.

٨١٣ ــ وَعَنْ حَابِر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نَبِيعُ سَرَارِيَنَا أُمَّهَاتِ الأَوْلاَدِ ، وَالنَّسَبِيُّ صَــلَّى اللَّــهُ عَلَــيْهِ وَسَـــلَّمَ حَيِّ ، لاَ يَرَى بِذَلِكَ بَأْسًا». رَوَاهُ النَّسَائِيُّ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

813. Jâbir (RAA) narrated, 'We used to sell our slave women who are mothers of children, during the lifetime of the Prophet , and he did not object to it.'239 Related by An-Nasâ'î, Ibn Mâjah ad-Dâraqutnî and Ibn Hibbân graded it as <u>Sahîh</u>.

٨١٤ ــ وَعَــنْ جَابِرِ بْنِ عَبْدِاللَّهِ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ
 بَيْعِ فَضْلِ الْمَاءِ» رَوَاهُ مُسْلِمٌ ، وَزَادَ فِي رِوَايَةٍ : «وَعَنْ بَيْعِ ضِرَابِ الْحَمَلِ».

814. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ prohibited the sale of excess water."240 Related by Muslim. In ano-

<sup>238-</sup> The mother of a child is the female slave who gave birth to a child, whose father is her Master. The child is consequently free, and she is not to be sold after that.

<sup>239-</sup> Imâm aṣ-Ṣan'ânî in 'Subul as-Salâm' says, that it is only 'Umar who prohibited her being sold, and it is not a consensus among the companions that she is not to be sold.

<sup>240-</sup> This narration refers to any water in excess of one's needs whether found in land which is not owned by anybody, or in someone's land, whether in a well or otherwise, as no one should prohibit others from using water which is in excess of his own need, as the Prophet said that people are partners in water, grass and fire.

ther narration, 'and hiring a camel to copulate with a she-camel (i.e. no money should be paid for copulation).

٨١٥ \_ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ عَسْبِ الْفَحْلِ». رَوَاهُ الْبُخَارِيُّ .

815. Ibn 'Umar narrated, 'The Messenger of Allâh prohibited taking fees for the copulation of an animal.' Related by Al-Bukhârî.

٨١٦ ـــ وَعَـــنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «نَهَى عَنْ بَيْعِ حَبَلِ الْحَبَلَةِ ، وَكَـــانَ بَيْعًا يَبْتَاعُهُ أَهْلُ الْحَاهلَيَّةِ ؛ كَانَ الرَّجُلُ يَيْتَاعُ الْحَزُورَ إِلَى أَنْ تُنْتِجَ النَّاقَةُ ثُمَّ تُنْتَجَ الَّتِي فِي بَطْنِهَا». مُتَّفَقٌ عَلَيْهِ .

816. Ibn 'Umar (RAA) narrated 'The Messenger of Allâh prohibited the sale called 'Habal al-Habalah,' which was a kind of dealing practice in Pre-Islâmic times(Jâhiliyah). A man would pay the price of a she-camel which was not yet born, but would be born by the immediate offspring of an existing she-camel.(i.e. would be the offspring of a she-camel which was still in her mother's womb)' Agreed upon, and the wording is from Al-Bukhârî.

٨١٧ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْوَلَاءِ ، وَعَنْ هِبَتِهِ». مُتَّفَقٌ عَلَيْهِ .

817. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh seprohibited selling or donating the Walâ' of a freed slave.' Agreed upon.

٨١٨ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْحَصَاةِ ، وَعَنْ بَيْعِ الْغَرَرِ». رَوَاهُ مُسْلِمٌ .

818. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh prohibited Bai'u al-<u>Has</u>âh<sup>241</sup> (trading of a pebble), and Bai'u

<sup>241-</sup> A type of sale practiced in pre-Islâmic periods, by which the seller throws a pebble, and sells the goods or the piece of land etc.. on which the pebble falls with a certain price agreed upon previously.

al-gharar."242 Related by Muslim.

819. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If anyone buys food (grain or otherwise) he should not resell it, until he receives it (i.e. in his hand )." Related by Muslim.

820. Abû Hurairah (RAA) narrated, "The Messenger of Allâh prohibited the double sale<sup>243</sup>(two transactions combined in one)" Related by Ahmad and An-Nasâ'î. At-Tirmidhî and Ibn Hibbân graded it as <u>Sahîh</u>.

821. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever sells a double sale in one, will have the worst of them or (it is as if he involved himself in) *Ribâ* (usury)." Related by Abû Dawûd.

<sup>242-</sup> Sale involving risk or chance, i.e. the sale of what is not present at the moment.

Scholars disagreed on what is meant by a double sale in this hadîth. Some say that it is selling commodities with two prices, one immediate and another higher, which is deferred to a later time, the second included an increase for the delayed selling of a commodity over its immediate price. But most scholars refuted this opinion claiming that it is a legitimate form of sale that existed in authentic texts (selling by installment). The second form is selling with two prices, one immediate and another higher, deferred and uncertain. The seller tells him, 'It is for such and such amount of cash and for such and such amount of delayed payment and they depart while being uncertain without having determined anything. This form is prohibited. Some scholars say that one of its forms is to make a double deal, one says I sell you my horse on the condition that you sell me your slave.

٨٢٢ \_ وَعَنْ عَمْرِو بْنِ شُعَيْب عَنْ أَبِيهِ عَنْ جَدَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمُ : «لا يَحلُّ سَلَفٌ وَبَيْعٌ ، وَلاَ شَرْطَانِ فِي بَيْعٍ ، وَلاَ رَبُّكُ مَا لَيْسَ عِنْدَكَ». رَوَاهُ الْخَمْسَةُ ، وَصَحَّحَهُ التَّرْمُدَيُّ ، وَابْ الْحَمْسَةُ ، وَصَحَّحَهُ التَّرْمُدَيُّ ، وَابْ الْحَدِيثِ مِنْ رِوَايَةٍ أَبِي حَنِيفَةً عَنْ وَابْ لَهُ عَلَيْهِ وَالْحَاكِمُ . وَأَخْرَجَهُ فِي عُلُومِ الْحَدِيثِ مِنْ رِوَايَةٍ أَبِي حَنِيفَةً عَنْ وَابْ لَعْمَدِ وَالْمَذْكُورِ بِلَفْظ : «نَهَى عَنْ بَيْعٍ وَشَرْطٍ». وَمِنْ هَذَا الْوَجْهِ أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأُوسَطِ ، وَهُو غِرِيبٌ .

822. 'Amro bin Shu'aib narrated on his father's authority who reported from his grandfather (RAA) that the Messenger of Allâh said, "It is prohibited to have a loan combined with a sale (in one deal),244 or having two conditions in a sale, or claiming a profit on something which is not in your possession.245 There is no selling what is not in your possession.' Related by the five Imâms. At-Tirmidhî, Ibn Khuzaimah and al-Hâkim graded it as <u>Sahîh</u>.

823. 'Amro bin Shu'aib narrated on his father's authority who reported from his grandfather (RAA) that 'The Messenger of Allâh prohibited *Bai'u al-'Urbân* (paying nonrefundable deposits).'246 Related by Mâlik.

<sup>244-</sup> The seller stipulates that the buyer gives him a loan to sell him the goods, or that the buyer borrows the money from the seller as a condition to buy his commodity.

<sup>245.</sup> As long as the goods are still in the possession of the seller, the profit belongs to him until the transaction is complete. So he is the one who gains any profit or bears any loss. The buyer cannot claim any profit until he possesses the goods.

<sup>246-</sup> It is a form of prohibited sales in which a nonrefundable deposit is paid towards the price of an item. If the buyer decides to keep it, the deposit is part of the price, but if he does not, then the seller keeps the deposit.

٨٢٤ ـ وَعَــنِ الْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «الْبَتَعْتُ زَيْتًا فِي السُّوقِ ، فَلَمَّــا اسْتَوْجَبْتُهُ لَقِينِي رَجُلٌ فَأَعْطَانِي بِهِ رِبْحًا حَسَنًا ، فَأَرَدْتُ أَنْ أَضْرِبَ عَلَى يَدِ الرَّجُلِ ، فَأَخَذَ رَجُلٌ مَنْ خَلْفِي بِذَرَاعِي ، فَالْتَفَتُ ، فَإِذَا هُوَ زَيْدُ بْنُ ثَابِت ، فَقَالَ : لاَ تَبِعْهُ حَيْثُ ابْتَعْتَهُ حَتَّى تَحُوزَهُ إِلَى رَحْلكَ ، فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَهُ عَيْثُ ابْتَعْتَهُ حَيْثُ تُبْتَاعُ ، حَتَّى يَحُوزَهَا التُجَّارُ إِلَى رِحَالِهِمْ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَاللَّهَ طُلُهُ مَ وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَالْحَاكِمُ .

824. Ibn 'Umar (RAA) narrated, 'I bought some oil from the market and when I came to take it, I met a man who offered me a good profit (i.e. wanted to buy it from me). When I was about to accept the deal, a man caught hold of my arm from behind. I turned around to find that the man was Zaid bin Thâbit.' He said to me, 'Do not sell it where you have bought it from, (but wait) till it is in your possession, as the Messenger of Allâh prohibited that goods are sold, until the trader takes possession of them.' <sup>247</sup> Related by Ahmad and Abû Dawûd and the wording is his. Ibn Hibbân and al-Hâkim graded it as Sahîh.

٨٢٥ \_ وَعَــنْهُ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنِّي أَبِيعَ الإِبِلَ بِالْبَقِــيعِ ، فَأَبِيعُ بِالدَّنَانِيرِ وَآخُذُ الدَّرَاهِمَ ، وَأَبِيعُ بِالدَّرَاهِمِ وَآخُذُ الدَّنَانِيرَ ، آخُذُ هَذَا مِنْ هَذِهِ وَأَعْطِي هَذِهِ مِنْ هَذَا ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لا بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَفْتَرِقَا وَبَيْنَكُمَا شَيْءٌ». رَوَاهُ الخَمْسَةُ ، وَصَحَّحَهُ الْحَاكِمُ.

825. Ibn 'Umar narrated, 'I said to the Messenger of Allâh , 'I sell camels at the market of Baqi'. So, I would sell for gold (i.e. make the deal with the price set in gold or Dînârs), and take silver (Dirhams) for them, or sell for silver (Dirhams) and take gold for them. I would take these for these and give these for these.' The Prophet \* told me, "There is no objection if the price you use is the current price (the day of making the deal) and as

<sup>247-</sup> The expression that Zaid used is until the traders take it back to their residence, but what he really means is until they have it in their possession whether it has to be transported or taken in hand etc.

long as you part having settled all the deal." Related by the five Imâms. Al- $\underline{H}$ âkim graded it as  $\underline{Sah}$ îh.

٨٢٦ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَ سَلَّمَ عَنِ النَّحْش». مُتَّفَقٌ عَلَيْه .

826. Ibn 'Umar narrated, 'The Messenger of Allâh 🎉 prohibited 'Najsh'<sup>248</sup> (Bidding up merchandise).' Agreed upon.

٨٢٧ ـــ وَعَنْ حَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُحَاقَلَــةِ ، وَالْمُزَابَّنَةِ ، وَالْمُحَابَرَةِ ، وَعَنِ الثَّنْيَا ، إِلاَّ أَنْ تُعْلَمَ». رَوَاهُ الْحَمْسَةُ إِلاَّ ابْنَ مَاجَهْ ، وَصَحَّحَهُ التَّرْمِذِيُّ .

827. Jâbir bin 'Abdullâh narrated, 'The Messenger of Allâh prohibited Muhâqalah<sup>249</sup>, Muzâbanah<sup>250</sup>, Mukhâbarah<sup>251</sup>, Thuniâ<sup>252</sup>, unless it is explicit.' Related by the five Imâms except for Ibn Mâjah. At-Tirmidhî graded it as <u>Sahîh</u>.

٨٢٨ ـــ وَعَـــنْ أَنْسٍ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمَحَاقَلَةِ ، وَالْمُخَاضَرَةِ ، وَالْمُلاَمَسَةِ ، وَالْمُنَابَذَةِ ، وَالْمُزَابَنَةِ». رَوَاهُ الْبُخَارِيُّ .

828. Anas (RAA) narrated that the Messenger of Allâh 🎉

<sup>248-</sup> It is prohibited to bid up the price of a piece of merchandise that one is not interested in buying but he is only doing so to deceive another bidder, who would believe that it is worth that price.

<sup>249-</sup> It means selling grain while they are still in their husk. But Jâbir (the narrator) explained it as selling a sown field for a hundred Firq (16 pounds or 12 Mudd) of wheat.

<sup>250-</sup> There are various forms of this sale such as selling grapes for raisins by measure or selling dates while they are still on the palm trees, for dried dates and so on.

<sup>251-</sup> Renting land for some of its crops.

<sup>252-</sup> To sell something while excluding part of it, unless the exception is explicit, such as selling a number of trees and excluding one. If this particular tree is identified, then it is permissible or else it is prohibited.

prohibited Mu<u>h</u>âqalah, Mukhâ<u>d</u>arah<sup>253</sup>, Mulâmasah<sup>254</sup>, Munâbadhah<sup>255</sup>, and Muzâbanah. Related by Al-Bukhârî.

٨٢٩ ـــ وَعَـــنُ طَاوسٍ عَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّــهُ عَلَسَيْهِ وَسَـــلَّمَ : «لَا تَلَقُّــوا اَلرُّكْبَانَ ، وَلاَ يَبِعْ حَاضِرٌ لِبَادٍ» ، قُلْتُ لابْــنِ عَــبَّاسٍ : مَــا قَوْلُهُ : «وَلاَ يَبِعْ حَاضِرٌ لِبَادٍ؟» قَالَ : لاَ يَكُونُ لَهُ سِمْسَارًا . مُثَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ .

829. Tawûs narrated on the authority of Ibn 'Abbâs, that the Messenger of Allâh said, "Do not go out to meet caravans (on the way to make deals with them) and no townsman is permitted to sell things on behalf of a man from the desert." I asked Ibn 'Abbâs, 'What did he mean by saying 'no townsman is

l asked Ibn 'Abbās, 'What did he mean by saying 'no townsman is permitted to sell on behalf of a Bedouin.?' He replied, 'He should not be a broker for him.' Agreed upon and the wording is from Al-Bukhârî'.

٨٣٠ ـــ وعن أبي هُرَيْرَةَ -- رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «لاَ تَلَقُّوا الْحَلَبَ ، فَمَنْ تُلُقِّيَ فَاشْتُرِيَ مِنْهُ ، فَإِذَا أَتَى سَيَّدُهُ السُّوقَ فَهُوَ بِالْحِيَارِ». رَوَاهُ مُسْلِمٌ .

830. Abû Hurairah narrated that the Messenger of Allâh said, "Do not go out to meet what is being brought (for the market by the riders). If one (of the traders) is met, and some of his goods are sold, then when the owner arrives at the

<sup>253-</sup> The sale of fruit or grain before they are ripe and in good condition.

<sup>254-</sup> A man selling his garment for another's man garment merely by touching it, and none of them looks at the other man's garment.

<sup>255-</sup> It means that two men cast their garments to the other to buy but without careful examination.

<sup>256-</sup> According to the majority of scholars the reason for the prohibition is the harm that affects the city dwellers from this practice, as when the Bedouin is left to sell his commodity, people will buy it at a lower price. If the city dweller sells it for him, he can only sell it at the going market rate.

market, he has the choice (whether to cancel the deal or accept it)."257 Related by Muslim.

٨٣١ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ ، وَلاَ تَنَاجَشُوا ، وَلاَ يَبِيعُ الرَّجُلُ عَلَى بَيْعٍ أَخِيهِ ، وَلاَ يَخُطُبُ عَلَى خِطْــبَةٍ أَخِــيهُ ، وَلاَ تَسْأَلُ الْمَرَأَةُ طَلاَقَ أُخْتِهَا لِتَكْفَأَ مَا فِي إِنَائِهَا». مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِمٍ : «لاَ يَسُمِ الْمُسْلِمُ عَلَى سَوْمٍ الْمُسْلِمِ».

831. Abû Hurairah (RAA) narrated, "The Messenger of Allâh prohibited that a city dweller sells on behalf of a man from the desert, and ordered not to bid against one another, no man should outbid the selling of his brother (Muslim brother), nor propose to marry a woman whom his brother has proposed to, and no woman should ask for the divorce of her sister (in Islam) to take advantage of what is in her pot(to replace her in her life)." Agreed upon. In another version by Muslim, "A Muslim should not offer a price above that offered by another Muslim."

٨٣٢ — وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ فَرَّقَ بَيْنَ وَالِدَة وَوَلَدَهَا فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أُحَبَّتِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ فَرَّقَ بَيْنَ وَالِدَة وَوَلَدَهَا فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أُحَبَّتِهِ يَسُومُ النَّهِ مَا اللَّهُ عَلَيْهِ وَسَلَّمَةٍ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ التَّرْمُذِيُّ ، وَالْحَاكِمُ ، وَلَكِنْ فِي إِسْنَادِهِ مَقَالٌ ، وَلَهُ شَاهِدٌ .

832. Abû Aiyûb Al-Ansârî (RAA) narrated, 'I heard the Messenger of Allâh say, "If anyone separates a mother and her child, Allâh will separate him from his beloved ones on the Day of Resurrection." Related by Ahmad. At-Tirmidhî and al-Hâkim graded it as <u>Sahîh</u>, but there is a weakness in its chain of narrators..

<sup>257-</sup> The seller may find that the price he was offered outside the town is less than the real price, then he has the choice to accept or cancel the deal.

<sup>258-</sup> A Muslim woman should not ask a man to divorce his wife, so that she alone would have all the privileges that the other wife had, of having a husband, being provided with all her life expenses etc.

٨٣٣ ــ وَعَنْ عَلِيٌ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ أَنْ أَبِيعَ غُلاَمَيْنِ أَحَوَيْنِ ، فَبِعْتُهُمَا ، فَفَرَّقْتُ بَيْنَهُمَا ، فَذَكَرْتُ ذَلِكَ لِلنَّسِبِيِّ صَــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «أَدْرِكُهُمَا فَارْتُجِعْهُمَا ، وَلاَ تَبِعْهُمَا إِلاَّ كَلَيْسِيِّ صَـلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «أَدْرِكُهُمَا فَارْتُجِعْهُمَا ، وَلاَ تَبِعْهُمَا إِلاَّ حَمِيعًا». رَوَاهُ أَحْمَدُ ، وَرَجَالُهُ ثِقَاتٌ ، وَقَدْ صَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْحَارُودِ ، وَابْنُ الْقَطَّانِ .

833. 'Alî bin Abî Tâlib (RAA) narrated, 'The Messenger of Allâh & commanded me to sell two (slaves) young brothers, so I did but I separated them (i.e. sold each to a different person). When I mentioned this to the Prophet & he said, 'Search for them and bring them back, and do not sell them except to the same person (do not separate them).' Related by Ahmad with a reliable chain of narrators. Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân, al-Hâkim, at-Tabarânî and Ibn al-Qattân graded it as Sahîh.

٨٣٤ - وَعَــنْ أَنَسِ بْنِ مَالِكَ قَالَ : غَلاَ السِّعْرُ فِي الْمَدِينَةِ عَلَى عَهْد رَسُولِ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ النَّاسُ : يَا رَسُولَ اللَّهِ ، غَلاَ السَّعْرُ ، فَسَعِّرْ لَنَا ، فَقَالَ رَسُــولُ اللَّهِ ، غَلاَ السَّعْرُ ، الْقَابِضُ ، الْبَاسِطُ ، رَسُــولُ اللَّهِ مَلَّمَ اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ ، الْقَابِضُ ، الْبَاسِطُ ، السَّوازِقُ ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّه - تَعَالَى - ، وَلَيْسَ أَحَدٌ مِنْكُمْ يَطْلُبُنِي بِمَظْلَمَةٍ فَى دَم وَلاَ مَالَ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

834. Anas bin Mâlik (RAA) narrated, 'The prices went up in Madînah during the time of the Prophet . People asked him' O Messenger of Allâh! The prices went up, so please fix the prices for us.' The messenger of Allâh replied, "Allâh is The One Who fixes the prices, He is The Restrainer, He is the one Who Gives generously, The Sublime Sustainer, and I wish to meet Allâh, the Almighty with none of you having any claim on me for any injustice regarding blood or property.'259

<sup>259-</sup> This Hadîth is evidence that fixing prices by authorities is an act of injustice, unless there is a clear imbalance in the market, in which case authorities should interfere by applying fair measures especially when it is relevant to the essential provisions. Some scholars such as Mâlik said

Related by the five Imâms except for An-Nasâ'î. Ibn  $\underline{H}$ ibbân graded it as  $\underline{Sah}th$ 

٨٣٥ ـــ وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحْتَكِرُ إِلاَّ خَاطِيءٌ». رَوَاهُ مُسْلِمٌ .

835. Ma'mar bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "No one monopolizes<sup>260</sup> except that he is a sinner." Related by Muslim.

٨٣٦ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَصُرُّوا الإبلَ وَالْغَنَمَ فَمَنِ ابْتَاعَهَا بَعْدُ فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَخْلُبَهَا ؛ إِنْ شَاءَ أَمْسَكَهَا ، وَإِنَّ شَاءَ رَدَّهَا وَصَاعًا مِنْ تَمْرٍ». مُتَّفَقٌ عَلَيْهِ . وَلِمُسْلِمٍ : «فَهُوَ بِالْحِيَارِ ثَلاَئَةَ أَيَّامٍ». وَلِمُسْلِمٍ : «فَهُوَ بِالْحِيَارِ ثَلاَئَةَ أَيَّامٍ». وَوَلَمُسْلِمٍ : «وَايَــةً لَــهُ عَلَقَهَــا البُحَارِيُّ : «وَرَدًّ مَعَهَا صَاعًا مِنْ طَعَامٍ ، لاَ سَمْرَاءَ»، وَاللّهُ خَارِيُّ : «وَرَدًّ مَعَهَا صَاعًا مِنْ طَعَامٍ ، لاَ سَمْرَاءَ»، قَالَ البُحَارِيُّ : «وَرَدًّ مَعَهَا صَاعًا مِنْ طَعَامٍ ، لاَ سَمْرَاءَ»،

836. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Do not tie up the udders of camels and sheep (and leave them un-milked for a long time). Whoever buys such an animal (unaware of what you did) has the option after milking them, either to keep it or to return it to the owner along with one Sâ of dates." Agreed upon.

In Muslim's version, "He has the choice for three days (to keep them or not."

In another version by Al-Bukhârî, (<u>Hadîth Mu'allaq<sup>261</sup></u>),"He must return it along with one <u>S</u>â' of any grain but wheat." Al-

that prices should be fixed for essential provisions, while other scholars said that it is permissible to fix the prices if this is for the welfare of the people and to save them from the greed of merchants.

<sup>260-</sup> Monopolizing here refers to withholding some goods until its price goes up and then putting it out for sale.

<sup>261-</sup> That in which the reporter omits the whole Isnad and quotes the Prophet & directly.

Bukhârî commented, 'But the narrations which say "with one  $\underline{S}\hat{a}$ ' of dates," are more (than the other one)."

٨٣٧ ـــ وَعَنِ ابْنِ مَسْعُودِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَنْ اشْتَرَى شَاةً مَحَفَّلَةً فَرَدَّهَا فَلْيُرُدَّ مَعَهَا صَاعًا». رَوَاهُ الْلُبْحَارِيُّ ، وَزَادَ الإِسْمَاعِيلِيُّ : «مِنْ تَمْرِ».

837. Ibn Mas´ûd (RAA) narrated, 'Whoever buys a sheep whose udder had been tied up, and he decides to return it, then he should give it back with one  $\underline{S}\hat{a}$ ." Related by Al-Bukhârî. Al-Ismâ-´îlî said, 'of dates.'

٨٣٨ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَرَّ عَلَى صُبُرَة مِنْ طَعَامٍ ، فَأَدْخَلَ يَدَهُ فِيهَا ، فَنَالَتْ أَصَابِعُهُ بَلَلاً ، فَقَالَ : «مَا هَذَا يَا صَــاحِبَ الطُّعَامِ ؟» قَالَ : «أَفَلاَ جَعَلْتُهُ فَوْقَ الطُّعَامِ كَيْ يَرَاهُ النَّاسُ ؟ مَنْ غَشَّ فَلَيْسَ مِنِّي». رَوَاهُ مُسْلِمٌ .

838. Abû Hurairah (RAA) narrated that the Messenger of Allâh happened to pass by a pile of food (grain), and when he inserted his hand into that pile, his fingers were moistened. He said (to the seller), "What is this?" The man replied, 'O Messenger of Allâh! These have been drenched by the rain.' The Messenger of Allâh said, "Why didn't you place this (the damp part of the pile) at the top of the pile, so that people could see it? He who deceives is not (one) of (my followers)." Related by Muslim.

٨٣٩ ـــ وَعَـــنْ عَــبْداللَّهِ بُـــنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَنْ حَبَسَ الْعَنَبَ آيَامَ الْقِطَافِ حَتَّى يَبِيعَهُ مِمَّنْ يَتَّخِذُهُ خَمْرًا فَقَدْ تَقَحَّمَ النَّارَ عَلَى بَصِيرَةٍ». رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ حَسَنٍ .

839. 'Abdullâh bin Buraidah narrated on the authority of his father, that the Messenger of Allâh said, "Whoever stores up grapes in their vintage season until he sells them to a wine maker, he would be putting himself into the Hellfire, while knowing the reason for being there (i.e. he knows why he is in the Hellfire)." Related by At-Tabarânî in 'al-Awsat', with a good chain of narrators.

٨٤٠ ـــ وَعَـــنْ عَائِشَــةَ قَالَتْ : قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ : «الْخَرَاجُ بِالضَّـــمَانِ». رَوَاهُ الْخَمْسَةُ ، وَضَعَّفَهُ الْبُخَارِيُّ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ التَّرْمِذِيُّ ، وَابْنُ خُرَيْمَةَ ، وَابْنُ الْقَطَّانِ .
 وَابْنُ خُرَيْمَةَ ، وَابْنُ الْحَارُودِ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَابْنُ الْقَطَّانِ .

840. 'Â'ishah (RAA) narrated that Allâh's Messenger ﷺ said, "al-Kharâj; 'benefit or profit' (profit of the bought item, or befitting through using it) belongs to the buyer (the one who possesses the sold item and he holds responsibility for it)."262 Related by the five Imâms, but Al-Bukhârî and Abû Dawûd graded it as weak. At-Tirmidhî, Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân, al-Hâkim and Ibn al-Qattân graded it as Sahîh.

٨٤١ ــ وَعَنْ عُرْوَةَ الْبَارِقِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَعْطَاهُ دِيسَارًا لِيَشْتَرِيَ بِهِ أَضْحِيَّةً ، أَوْ شَاةً ، فَاشْتَرَى بِهِ شَاتَيْنِ ، فَبَاعَ إِحْدَاهُمَا بِدِيسَنَارٍ ، فَأَتَاهُ بِشَاةً وَدِينَارٍ ، فَدَعَا لَهُ بِالْبَرَكَةِ فِي بَيْعِهِ ، فَكَانَ لَوْ اشْتَرَى تُرَابًا لَرَبِحَ بِدِيسَنَارٍ ، فَأَتَاهُ بِشَاةً وَدِينَارٍ ، فَدَعَا لَهُ بِالْبَرَكَةِ فِي بَيْعِهِ ، فَكَانَ لَوْ اشْتَرَى تُرَابًا لَرَبِحَ فَسَيه». رَوَاهُ الْحَمْسُلُةُ إِلاَّ النَّسَائِيَّ . وَقَدْ أَخْرَجَهُ البُخَارِيُّ فِي ضِمْنِ حَدِيثٍ ، وَلَمْ يَسُقُ لَفْظَهُ .

841. Urwah al-Bâriqî (RAA) narrated, 'Allâh's Messenger & gave him a Dînâr to buy a sacrificial animal or a sheep. He bought two sheep, and sold one of them for a Dînâr. (When he returned)

The story of this hadîth is that two men came to the Prophet significant disputing over a matter. One of them had bought a slave boy from the other. The boy stayed with the buyer for sometime, then the buyer found a fault with the slave. He wanted to return him to the original owner, who refused to take him back claiming that the buyer had employed the slave and made use of his service. The Prophet significant judged that the boy should be returned to his original owner and said the above hadîth 'al-Kharâj bid-Damân.' Meaning that the benefit the buyer got from the slave was in return for the expenses, which the buyer would have to pay if the sold item was damaged -after the buyer decides to cancel the deal and before he gives it back to the original owner- then it is the buyer who is responsible for its price, as it was in his possession. The hadîth then means that the benefit or profit goes to the one who holds the responsibility of the item, i.e. profit and loss goes to the buyer as it is actually in his possession.

the Prophet invoked Allâh to bless his dealings of buying and selling. It was such that if had bought (even) dust, he would have made a profit from it.' Related by the five Imâms except for An-Nasâ'î. Al-Bukhârî reported it within another <u>Hadîth</u>.

842. At-Tirmidhî related a similar <u>h</u>adîth on the authority of <u>H</u>akîm bin <u>H</u>izâm.

٨٤٣ ــ وَعَــنْ أَبِي سَعِيدِ الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَمَ نَهَى عَنْ شَرَاءِ مَا فِي بُطُونِ الأَنْعَامِ حَتَّى تَضَعَ ، وَعَنْ بَيْعِ مَا فِي ضُرُوعِهَا ، وَعَنْ شِرَاءِ الْعَنْدِ وَهُوَ آبِقٌ ، وَعَنْ شِرَاءِ الْمَغَانِمِ حَتَّى تُقْسَمَ ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَــتَّى تُقْسَمَ ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَــتَّى تُقْسَمَ ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَــتَّى تُقْسَمَ ، وَالْبَرَّارُ ، وَالدَّارَاقُطْنِيُّ حَــتَّى تُقْسَمَ ، وَالْبَرَّارُ ، وَالدَّارَاقُطْنِيُّ بِاسْنَادِ ضَعِيفٍ .

843. Abû Sa´îd al-Khudrî (RAA) narrated, 'The Messenger of Allâh prohibited buying what is still in the womb of the cattle until they give birth, or selling what is in their udders (until they are milked). The Prophet also prohibited buying a runaway slave(as he is not present), and prohibited buying war booty before it is divided, or buying Zakât property before it is received(by their recipients) and prohibited buying the lucky stroke of a diver (without knowing what he will come out with).' Related by Ibn Mâjah, Al-Bazzâr and Ad-Dâraqutnî with a weak chain of narrators.

٨٤٤ ـــ وَعَنِ ابْنِ مَسْعُود قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَشْتَرُوا السَّمَكَ فِي الْمَاءِ ، فَإِنَّهُ غَرَّرٌ». رَوَاهُ أَحْمَدُ ، وَأَشَارَ إِلَى أَنَّ الصَّوَابَ وَقْفُهُ .

844. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, 'Do not buy fish before they are caught, as it involves Gharar (sale involving risk or a chance)." Related by Ahmad, who said that it is most probably <u>Hadîth Mawqûf</u>.

٨٤٥ ـــ وَعَـــنِ ابْـــنِ عَـــبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا حَقَلَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ ثَبَاعَ ثَمَرَةٌ حَتَّى تَطْعَمَ ، وَلاَ يُبَاعَ صُوفٌ عَلَى ظَهْرٍ ، وَلاَ لَبَنٌ فِي

ضَرْعٍ ، رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ ، وَالدَّارَقُطْنِيُّ . وَأَخْـــرَجَهُ أَبُـــو دَاوُدَ فِي الْمَرَاسِيلِ لِعِكْرِمَةَ ، وَأَخْرَجَهُ أَيْضًا مَوْقُوفًا عَلَى ابْنِ عَبَّاسٍ بِإِسْنَادٍ قَوِيٌّ ، وَرَجَّحَهُ الْبَيْهَقِيُّ .

845. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh prohibited the sale of fruit until it is ripe, or to sell fur (of camels and goats) which have not yet been shorn, or milk which is still in the udder.' Related by At-Tabarânî in 'Al-Awsat and by ad-Dâraqutnî.

٨٤٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْمَضَامِينِ وَالْمَلاَقِيحِ». رَوَاهُ الْبَزَّارُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

846. Abû Hurairah (RAA) narrated that the Messenger of Allâh prohibited selling the womb of female cattle and the sperm in the backs of male camels.' Related by Al-Bazzâr with a weak chain of narrators.

٨٤٧ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى عَنْهُ وَسَـــلَّمَ : «مَـــنْ أَقَالَ مُسْلِمًا بَيْعَتَهُ أَقَالَ اللَّهُ عَثْرَتَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَالْحَاكُمُ .

847. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever helps in the revocation of a contract (between two Muslims to settle their disputes), Allâh, the Almighty will save him from slipping on the Day of Resurrection.' Related by Abû Dawûd.

# بَسابُ الْخِيَسارِ

## Chapter II: Options (al-Khiyâr) in Business Dealings

٨٤٨ ـــ وَعَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا تَبَايَعَ الرَّحُلاَنِ ، فَكُلُّ وَاحِد مِنْهُمَا بِالْحِيَارِ مَا لَمْ يَتَفَرَّقَا ، وَكَانَا حَمِيعًا ، أَوْ يُخَــيِّرْ أَحَدَهُمَــا الآخَرَ ، فَإِنْ خَيَّرَ أَحَدُهُمَا الآخَرَ فَتَبَايَعَا عَلَى ذَلِكَ فَقَدْ وَجَبَ الْبَيْعُ». الْبَــيْعُ ، وَإِنْ تَفَرَّقَا بَعْدَ أَنْ تَبَايَعَا ، وَلَمْ يَثْرُكُ وَاحِدٌ مِنْهُمَا الْبَيْعَ فَقَدْ وَجَبَ الْبَيْعُ». مُثَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

848. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "The seller and the buyer have the right to go ahead (with the deal) or cancel it so long as they have not parted physically- (and are still at the place transaction), or until one of them gives the other the choice (to think over the deal for a few days even if they parted physically, or to go ahead with the deal before they part). If one of them gives the other this option and the deal is made on this condition, then it becomes binding (even before they part, according to the set condition). And if they part after they have made the bargain and none of them decided to abandon it, the agreement is also binding." Agreed upon and the wording is from Muslim.

٨٤٩ ـــ وَعَـــنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَـــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الْبَائِعُ وَالْمُبْتَاعُ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا ، إِلاَّ أَنْ تَكُونَ صَفْقَةَ خِيَارٍ ، وَلاَ يَحِلُّ لَهُ أَنْ يُفَارِقَهُ خَشْيَةَ أَنْ يَسْتَقِيلَهُ». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَهُ ورَوَاهُ الدَّارَقُطْنِيُّ ، وَآبُنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ . وَوَوَاهُ الدَّارَقُطْنِيُّ ، وَآبُنُ خُزَيْمَةَ ، وَابْنُ الْجَارُودِ .

849. 'Amro bin Shu'aib narrated on his father's authority who reported from his grandfather (RAA), that the Messenger of Allâh said, "The seller and the buyer have the right to go ahead (with the deal) or cancel it as long as they have not parted physically- (and are still at the place of transaction), unless it is a deal of choice, whereby one of them gives the choice to the other to go ahead with the deal or to cancel it before they actually part (i.e. on the spot). And it is not permissible for one of them to part from his companion(before they make the final agreement) for he may want to cancel the deal."263

<sup>263-</sup> This means that if he suddenly leaves the place of the deal, then this would make the deal final, while his companion might still want to

Related by the five Imams except for Ibn Majah. Ad-Daraqutni. In another version, "Until they part from their place (of making the deal)."

٨٥٠ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : ذَكَرَ رَجُلَّ لِرَسُولِ اللَّهِ صَلَّى اللَّهِ عَلَى اللَّهُ عَلَيْهُ .

850. Ibn 'Umar (RAA) narrated that, 'A man told the Messenger of Allâh se that people deceive him in his deals, so the Prophet of Allâh told him, "When you conduct a deal, say no cheating or deceiving (in this deal)." Agreed upon.

## بَسابُ السرِّبَسا

#### Chapter III: Ribâ (Usury)

٨٥١ ـــ عَنْ حَابِرٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ آكِلَ الرَّبَا ، وَمُوكِلَّهُ ، وَكَاتِبَهُ ، وَشَاهِدَيْهِ ، وَقَالَ : «هُمْ سَوَاءٌ». رَوَاهُ مُسْلِمٌ.

851. Jâbir (RAA) narrated, 'The Messenger of Allâh se cursed the person who accepts usury, its payer, the one who recorded it, and the two witnesses, and he said, se, "They are all equal (in sin)." Related by Muslim.

852. Al-Bukhârî reported a similar <u>Hadîth</u> on the authority of Abû Ju<u>h</u>aifah.

٨٥٣ ـــ وَعَـــنْ عَــبْد اللَّه بْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «الـــرُّبَا ثَلاَئَةٌ وَسَبْعُونَ بَابًا ، أَيْسَرُهَا ؛ مِثْلُ أَنْ يَنْكَحَ الرَّجُلُ أُمَّهُ ،

think it over, and may wish to cancel it. So it is disliked to leave the place of the bargain until it is finalized.

وَإِنَّ أَرْبَسَى السَّرِّبَا عِسَرْضُ الرَّجُلِ الْمُسْلِمِ». رَوَاهُ ابْنُ مَاجَهْ مُخْتَصَرًا ، وَالْحَاكِمُ بتَمَامه ، وَصَحَّحَهُ.

853. 'Abdullâh Ibn Mas'ûd narrated that the Messenger of Allâh said, "There are seventy three types of Ribâ. The one least in sin, is that equal to the sin of a man who marries his mother, and one of the worst kinds of Ribâ is to violate the honor of a Muslim." <sup>264</sup> Related by Ibn Mâjah in a short form and al-<u>H</u>âkim in a complete one. The latter graded it as Sahîh.

٨٥٤ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «لاَ تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إلاَّ مِثْلاً بِمِثْلٍ ، وَلاَ تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ ، وَلاَ تَبِيعُوا الْوَرِقَ بِالْوَرِقِ إِلاَّ مِثْلاً بِمِثْلٍ ، وَلاَ تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ ، وَلاَ تَبِيعُوا مِنْهَا غَائِبًا بِنَاجِزٍ». مُتَّفَقٌ عَلَيْهِ .

854. Abû Sa'îd Al-Khudrî (RAA) narrated that the Messenger of Allâh said, "Do not sell (exchange) gold for gold, unless they are equivalent in amount, and do not sell (exchange) a lesser amount for a greater amount (or vice versa), and do not sell silver for silver unless they are equivalent in amount, and do not sell a lesser amount for a greater amount (or vice versa). Also do not sell silver or gold that is not available at the moment of exchange, for gold or silver that is present at the time." Agreed upon.

٥٥ - وَعَــنْ عُــبَادَةً بْنِ الصَّامِتَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 «الذَّهَبُ بِالذَّهَبُ بِالذَّهَبِ ، وَالْفَضَّةُ بِالْفِضَّةِ ، وَالْبُرُ بِالْبُرِ ، وَالشَّعِيرُ بِالشَّعِيرِ ، وَالْقَمْرُ بِالتَّمْرِ ،
 وَالْمُلْــحُ بِالْمُلْحِ ، مِثْلاً بِمِثْلُ ، سَوَاءً بِسُواء ، يَدًا بِيَد ، فَإِذَا اخْتَلَفَتْ هَذِهِ الأَصْنَافُ فَبِيعُو كَيْفَ شَيْتُمْ إِذَا كَانَ يَدًا بِيَدِ». رَوَاهُ مُسْلِمٌ .

855. 'Ubâdah bin As-Sâmit (RAA) narrated that the Messen-

<sup>264-</sup> No doubt the first type is worse, but the Prophet s means to show how evil it is to defame another Muslim.

ger of Allâh said, "Whenever gold is exchanged for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt unless they are exactly equivalent in amount and quality, and exchanged -delivered- on the spot (i.e. the exchanged goods will be in the respective possession of both the buyer and the seller before they part, each delivering the goods to the other). If these types differ (when making the deal, such as exchanging gold for silver) then sell -and buy- as you wish (in different amounts) if payment is made on the spot." Related by Muslim.

٨٥٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَــــلَّـمَ : «الذَّهَبُ بِالذَّهَبِ وَزْنَا بِوَزْن مِثْلاً بِمِثْلِ ، وَالْفِضَّةُ بِالْفِضَّةِ وَزْنَا بِوَزْنِ مِثْلاً بِمِثْلِ ، فَمَنْ زَادَ أَوِ اسْتَزَادَ فَهُو رِبًا». رَوَاهٌ مُسْلِمٌ .

856. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "Whenever gold is exchanged for gold, it should be equivalent in amount and quality, and whenever silver is exchanged for silver it should be equivalent in amount and quality. Whoever gives more or asks for more, this is considered *Ribâ* (usury)." Related by Muslim.

١٥٧ ــ وَعَــنْ أَبِي سَعِيد الْحُدْرِيِّ ، وَأَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَـلَى اللَّهُ عَلَيْهِ وَسَلَّمَ استْعْمَلَ رَجُلاً عَلَى خَيْبَرَ ، فَحَاءَهُ بِتَمْرِ جَنِيبٍ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكُلُّ تَمْرِ خَيْبَرِ هَكَذَا ؟» ، فَقَالَ : لاَ ، وَاللَّهِ يَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَفْعَلُ ، بِعْ الْجَمْعَ بِالتَّلاَثَةِ ، فَقَالَ رَسُولُ اللَّهِ صَـلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَفْعَلُ ، بعْ الْجَمْعَ بِالدَّرَاهِمِ ، ثُمَّ البَتَعْ بِالدَّرَاهِمِ جَنِيبًا» ، وَقَالَ فِي الْمِيزَانِ مِثْلَ ذَلِكَ . مُتَّفَقٌ عَلَيْهِ ، وَلِمُسْلِم : «وَكَذَلِكَ الْمِيزَانُ».

857. Abû Sa´îd al-Khudrî (RAA) narrated that the Messenger of Allâh appointed a man as a governor of Khaibar, and the man brought him dates of an excellent quality. The Messenger of Allâh asked him, "Are all the dates in Khaibar of the same quality?" The man replied, I swear by Allâh O Messenger of Allâh! that they certainly are not. We take one Sâ´ of these dates

for two or three  $\underline{S}\hat{a}$ 's (of our lesser quality dates).' The Messenger of Allâh  $\underset{\sim}{\text{#}}$  said thereupon, "Do not do that (as this would be  $Rib\hat{a}$ ). Sell the lesser quality dates for Dirhams (money) and then buy the good quality dates with the Dirhams you received." He also said that the same applies when things are sold by weight. Agreed upon.

٨٥٨ ـــ وَعَنْ حَابِرِ بْنِ عَبْداللّهِ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللّهِ صَلّى اللّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللّهِ صَلّى اللّهِ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الصُّبْرَةِ مِنَ التّمْرِ الَّتِي لاَ يُعْلَمُ مَكِيلُهَا بِالْكَيْلِ الْمُسَمَّى مِنَ التّمْرِ». رَوَاهُ مُسْلِمٌ .

858. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh prohibited selling a quantity of dates of unknown measure, for a specific amount of dates (of known weight).' Related by Muslim.

٨٥٩ ــ وَعَنْ مَعْمَرِ بْنِ عَبْدِاللَّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : إِنِّي كُنْتُ أَسْمَعُ رَسُولَ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «الطَّعَامُ بِالطُّعَامِ مِثْلاً بِمِثْلِ» ، وَكَانَ طَعَامَنَا يَوْمَئِذِ الشَّعِيرُ . رَوَاهُ مُسْلِمٌ .

859. Ma'mar bin 'Abdullâh (RAA) narrated, 'I used to hear the Messenger of Allâh say, "Food is to be exchanged for food in equivalent amounts." The narrator added, 'Our food at that time was barley.' Related by Muslim.

٨٦٠ ــ وَعَـــنْ فَضَالَةَ بْنِ عُبَيْد - رَضِيَ اللَّهُ عَنْهُ - قَالَ : اشْتَرَيْتُ يَوْمُ حَيْبَرَ قِلاَدَةً بِاثْنَيْ عَشَرَ دِينَارًا ، فِيهَا ذَهَبٌ وَ حَرَزٌ ، فَفَصَلْتُهَا ، فَوَجَدْتُ فِيهَا أَكْثَرَ مِنَ اثْنَيْ عَشَرَ دِينَارًا ، فَيهَا ذَكْثَرَ مِنَ اثْنَيْ عَشَرَ دِيسَنَارًا ، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «لاَ ثَبَاعُ حَتَّى تُفْصَلَ».
 رَوَاهُ مُسْلِمٌ .

860. Fadâlah bin 'Ubaid (RAA) narrated, 'I bought a necklace on the day of Khaibar for 12 Dînârs (of gold). It contained gold and gems, but when I distinguished each separately, I found that it contained more than 12 Dînârs worth (of gold). I mentioned this to the Prophet is he said, "Do not sell it until its contents (gold)

and gems)are distinguished(and the weight of each is known)." Related by Muslim.

٨٦١ ـــ وَعَـــنُ سَـــمُرَةَ بْنِ جُنْدَب : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْحَيَوَانِ بِالْحَيَوَانِ نَسيئَةً». رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ التِّرْمذيُّ ، وَابْنُ الْحَارُود .

861. Samurah bin Jundub (RAA) narrated, 'The Messenger of Allâh prohibited selling animals for animals on delayed payments.' Related by the five Imâms. At-Tirmidhî and Ibn al-Gârûd graded it as <u>Sahîh</u>.

٨٦٢ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْكُمْ وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ ، وَرَضِيتُمْ بِالزَّرْعِ ، وَلَخِينَة ، وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ ، وَرَضِيتُمْ بِالزَّرْعِ ، وَرَضِيتُمْ بِالزَّرْعِ ، وَرَضِيتُمْ بِالزَّرْعِ ، وَرَاهُ وَتَرَكُ مُ الْحَيْدُ مُ ذُلاً لاَ يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ ». رَوَاهُ أَبُو دَاوُدَ مِنْ رَوَايَةٍ نَافِعٍ عَنْهُ ، وَفِي إِسْنَادِهِ مَقَالٌ ، وَلاَّحْمَدَ نَحْوُهُ مِنْ رَوَايَةٍ عَطَاءٍ ، وَصَحَّحَهُ ابْنُ الْقَطَّانِ .

862. Ibn 'Umar (RAA) narrated, 'I heard the Messenger of Allâh say, "When you practice 'al-înah sale," getting hold of the tails of the cows (i.e. getting busy with plowing and leaving Jihâd); feeling content with agriculture and neglecting Jihâd, Allâh will bring upon you humiliation and disgrace, which He will not lift until you revert to your religion." Related by Abû Dawûd with a weak chain of narrators. Ahmad related a similar narration on the authority of 'Atâ' with a reliable chain of narrators. Ibn al-Qattân graded it as Sahîh.

٨٦٣ — وَعَنْ أَبِي أُمَامَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ شَفَعَ لأَخِيهِ شَفَاعَةً ، فَأَهْدَى لَهُ هَدِيَّةً ، فَقَبِلَهَا ، فَقَدْ أَتَى بَابًا عَظِيمًا مِنْ أَبْوَابِ الرِّبًا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَفي إسْنَاده مَقَالٌ .

863. Abû Umâmah (RAA) narrated that the Messenger of

<sup>265-</sup> The seller sells the goods to the buyer with a delayed payment, and then repurchases it for a lower price. This is considered as a prohibited sale by the Hanafi, Mālikî and Hanbalî schools due to this evidence.

Allâh said, "If anyone intercedes for his brother(in Islâm) and he is given a present (in return for his favor) and he accepts it, he is guilty of practicing a great type of *Ribâ*." Related by Ahmad and Abû Dawûd with a weak chain of narrators.

٨٦٤ ــ وَعَــنْ عَــبْدِ اللَّــهِ بُــنِ عَمْرِو يْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «لَعَـــنَ رَسُــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّاشِيَ وَالْمُرْتَشِي». رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرْمَذِيُّ وَصَحَّحَهُ .

864. 'Abdullâh bin 'Amro bin Al-'Âs (RAA) narrated that the Messenger of Allâh se cursed the one who bribes and the one who accepts the bribe.' Related by Abû Dawûd and rendered authentic by At-Tirmidhî.

٨٦٥ ـــ وَعَـــنْهُ : «أَنَّ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَهُ أَنْ يُجَهِّزَ جَيْشًا ، فَنَفَدَتِ الإِبلُ ، فَأَمَرَهُ أَنْ يُخَدِّرُ بِالْبَعِيرَيْنِ إِلَى الإِبلُ ، فَأَمَرَهُ أَنْ يَأْخُذَ عَلَى قَلاَئِصَ الصَّنَقَةِ ، قَالَ : فَكُنْتُ آخُذُ الْبَعِيرَ بِالْبَعِيرَيْنِ إِلَى إِلَى الصَّدَقَةِ». رَوَاهُ الْحَاكِمُ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

865. 'Abdullâh bin 'Amro bin Al-'Âs (RAA) narrated, 'The Messenger of Allâh 's commanded him to prepare an army, but the camels he had were insufficient (some people remained without camels to ride). So the Messenger of Allâh ordered him to buy camels in exchange for the young camels of Zakah (which they did not have at that time). 'Abdullâh says, 'I used to exchange two of the young camels of Zakah for one older camel. (When they received the young camels of  $Zakah^{266}$  they gave them to the people who sold them the camels).' Related by Al-Hâkim and Al-Baihaqî with a reliable chain of narrators.

٨٦٦ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ عَنِ الْمُزَابَنَةِ : أَنْ يَبِيعَ ثَمَرَ حَائِطِهِ إِنْ كَانَ نَحْلاً بِتَمْرٍ كَيْلاً ، وَإِنْ كَانَ

<sup>266-</sup> One of the channels for spending Zakâh money is in the way of Allâh.

كَـــرْمًا أَنْ يَبِيعَهُ بِزَبِيبٍ كَيْلاً ، وَإِنْ كَانَ زَرْعًا أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ ، نَهَى عَنْ ذَلِكَ كُلّه». مُتَّفَقٌ عَلَيْه .

866. Ibn Umar (RAA) narrated, 'The Messenger of Allâh prohibited Muzâbanah<sup>267</sup>, which means that a man sells the fruit of his garden in any of the following forms: to sell dates that have not yet been harvested and are still on the palm trees, for fresh (or dried) dates of measured weight, to sell grapes that have not yet been harvested, for measured amounts of raisins, or standing crops for a measured quantity of grain. He prohibited all such bargains.' Agreed upon.

٨٦٧ ـــ وَعَـــنْ سَعْد بْنِ أَبِي وَقَاصٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمَعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : سَمَعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُسْئَلُ عَنِ اشْتِرَاءِ الرُّطَبِ بِالتَّمْرِ ، فَقَالَ : «أَيْنْقُصُ الرُّطَبُ إِذَا يَـــبِسَ ؟» قَالُوا : نَعَمْ ، فَنَهَى عَنْ ذَلِكَ . رَوَاهُ الْحَمْسَةُ ، وَصَحَّحَهُ ابْنُ الْمَدينِي ، وَالتَّرْمِذِيُّ ، وَابْنُ حَبَّانَ ، وَالْحَاكِمُ .

867. Sa'd bin Abî Waqqâs (RAA) narrated, 'I heard the Messenger being asked about selling fresh dates for dried dates. He replied, "When fresh dates are dried, do they lose weight?" They replied, 'Yes.' So he prohibited such a deal.' Related by the five Imâms. Ibn al-Madînî, at-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as Sahîh.

٨٦٨ ـــ وَعَـــنِ ابْـــنِ عُمَرَ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْكَالِيءِ بِالْكَالِيءِ ، يَعْنِي الدَّيْنِ بِالدَّيْنِ», رَوَاهُ إِسْحَاقُ ، وَالْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ .

868. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh prohibited selling postponed credit for another postponed credit (i.e. a debt for a debt).' Related by Ishâq and Al-Bazzâr with a weak chain of narrators.

# بَابُ الرُّخْصَةِ فِي الْعَرَايَا، وَبَيْسِعِ الأَصُولِ وَالثَّمَارِ

## Chapter IV: Concession concerning 'Arâya (Lending something for use) and the sale of Trees and fruit

٨٦٩ ـــ عَـــنْ زَيْدِ بْنِ ثَابِت - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمُ رَخَّصَ فِي الْعَرَايَا ۚ: أَنْ تُبَاعَ نِخَرْصِهَا كَيْلاً». مُتَّفَقَ عَلَيْهِ . وَلَمُسْلِم : «رَخَّصَ فِي الْعَرِيَّةِ يَأْخُذُهَا أَهْلُ الْبَيْتِ بِخَرْصِهَا تَمْرًا يَأْكُلُونَهَا رُطَبًا».

869. Zaid bin Thâbit (RAA) narrated, 'The Messenger of Allâh permitted selling the dates of 'Arâya<sup>268</sup> (the palm tree lent for use) if their dates are sold for measured amounts of dried dates.' Agreed upon.

In the version of Muslim, 'He gave the license regarding the fruit of the  $\hat{A}riya$  for its sale to the original owner.

٨٧٠ ـــ وُعُـــنْ أَبِي هُرُيْرَةَ - رُضِيَّ اللَّهُ تَعَالَى عُنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ فِي بَيْعِ الْعَرَايَا بِخَرْصِهَا مِنَ التَّمْرِ ، فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ ، أَوْ فِي خَمْسَةِ أَوْسُقِ». مُتَّفَقٌ عَلَيْهِ .

870. Abû Hurairah (RAA) narrated, The Messenger of Allâh gave permission for the selling of the dates of 'Arâya, by estimating the amount of dates on the palm trees (unharvested) on the condition that their amount is less than five Awsuq<sup>269</sup> or five Awsuq.' Agreed upon.

During times of droughts, the Arabs had the habit of lending some of their palm trees to those who had none so as to eat the fruit of those trees for a certain period of time. Sometimes the owner of the palm trees would be bothered by the frequent coming into his garden of the one the tree is lent to. So, the Prophet are gave them the permission (to the lender) to buy the dates while still unharvested (even though this is prohibited otherwise) from the man he lent it to, for an amount of weighed dried or fresh dates. So they would estimate the weight of the dates while still on the palm trees and buy them from the needy, for dried dates.

<sup>269-</sup> A Wasaq is equivalent to sixty sâ'as (a cubic measure of varying magnitude). Five Awsuq is equivalent to 50 Egyptian kaylah (one Kaylah is a

٨٧١ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ صَلَّى اللَّهُ عَلَى عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّمَانِ حَتَّى يَبْدُوَ صَلاَحُهَا ، نَهَى الْبَائِعَ وَالْمُبْتَاعَ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ : وَكَانَ إِذَا سُئِلَ عَنْ صَلاَحِهَا قَالَ : «حَتَّى تَذْهَبَ عَاهَتُهَا»

871. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh & prohibited the sale of fruit until it is ripe. He prohibited the seller and the buyer.' Agreed upon. In another version, 'When he was asked about what is meant by being ripe, he would say "Till they are safe from being affected by blight."

٨٧٢ ـــ وَعَـــنْ أَنَــسِ بْنِ مَالك - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ نَهَـــى عَـــنْ بَـــيْعِ الثَّمَارِ حَتَّى تُزْهَى ، قِيلَ : وَمَا زَهْوُهَا ؟ قَالَ : «تَحْمَارُّ وتَصْفَارُ». مُتَّفَقٌ عَلَيْه ، وَاللَّفْظُ لِلْبُخَارِيِّ .

872. Anas bin Mâlik (RAA) narrated, 'The Messenger of Allâh prohibited selling fruit until they had bloomed. When he was asked about the sign of this he said, "Till they become red and yellow (i.e. fit for eating).' Agreed upon and the wording is from Al-Bukhârî'.

٨٧٣ ـــ وَعَنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْعِنْبِ حَتَّى يَسْوَدُّ ، وَعَنْ بَيْعِ الْحَبِّ حَتَّى يَشْتَدَّ». رَوَاهُ الْحَمْسَةُ إِلاَّ النَّسَائِيُّ ، وَصَحَّحَهُ اَبْنُ حِبَّانَ ، وَالْحَاكِمُ .

873. Anas bin Mâlik (RAA) narrated, 'The Messenger of Allâh prohibited selling grapes until they become black, and the sale of grain until they become hard (i.e. till they both ripen).' Related by the five Imâms except for An-Nasâ'î. Ibn Hibbân and al-Hâkim graded it as <u>Sahîh</u>.

٨٧٤ \_ وَعَـــنْ حَابِرِ بْنِ عَبْدِاللّهِ - رَضِيَ اللّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهُ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ : «لَوْ بِعْتَ مِنْ أَحِيكَ تَمْرًا فَأَصَابَتْهُ حَاثِحَةٌ ، فَلاَ يَحِلُّ لَكَ أَنْ تَأْخُذَ مِنْهُ شَيْعًا ، بِمَ تَأْخُذُ مَالَ أَحِيكَ بِغَيْرِ حَقٌ ؟». رَوَاهُ مُسْلِمٌ .

وَفِي رِوَايَةٍ لَهُ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَرَ بِوَضْعِ الْحَوَائِحِ».

874. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "If you sell your brother dates (or fruit), and they are stricken with Jâ'iḥah (Calamity),270 it is not permissible for you to take any money from him.271 Why should you take the wealth of your brother unjustly?" Related by Muslim.

In another version, 'The Messenger of Allâh ﷺ commanded that the price of the fruit stricken with a Calamity, is to be remitted.'

٨٧٥ ـــ وَعَـــنِ ابْـــنِ عُمَـــرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ أَنْـــهُ قَالَ : «مَنِ ابْتَاعَ نَخْلاً بَعْدَ أَنْ تُؤَبَّرَ فَثَمَرَتُهَا لِلْبَائِعِ الَّذِي بَاعَهَا إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ». مُتَّفَقٌ عَلَيْهِ

875. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "If someone buys pollinated date palms, their fruit belong to the seller unless the buyer stipulates that they will be for himself (and the seller agrees)." Agreed upon.

<sup>270-</sup> Jâ'ihah or Calamity could be any of the diseases or infestations which affect plants and may totally or partially destroy them. It could also be any unfortunate condition which was not caused by man, such as wind, snow, cold, lack of water etc.

<sup>271-</sup> There is a difference of opinion among the scholars over the Jâ'ihah. Shâfi'î and Abû Hanîfah are of the opinion that if the fruit was sold before being ripe, while it was still on the tree, then the seller is not to take any money as it is prohibited to sell fruit before it is ripe (while on the tree), but if they are sold after becoming ripe, then the seller is not to repay the buyer any of the price. Ibn Hanbal is of the opinion that the price of any damaged fruit is not to be claimed by the seller, and the buyer has the right to ask for a reduction in this case. Still many scholars believe that it is recommended as a moral obligation that the seller does not claim the full price, as compensation to his Muslim brother for his loss, and that is actually the implicit recommendation in this hadîth.

# أَبْسُوَابُ السُّلَسِمِ، وَالْقَسِرْضِ، وَالرَّهْسِنِ

## Chapter V: Payment in Advance (or Salam<sup>272</sup>), Loan and Rahn<sup>273</sup> (putting up Collateral)

٨٧٦ ـــ عَـــنِ ابْــنِ عَــبَّاسٍ قَالَ : قَدِمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمَدينَةَ ، وَهُمْ يُسْـــلِفُونَ فِي الثِّمَارِ السَّنَةَ وَالسَّنَتَيْنِ ، فَقَالَ : «مَنْ أَسْلَفَ فِي تَمَرٍ فَلْيُسْلِفُ فِي كَيْلٍ مَعْلُومٍ ، وَوَزْنِ مَعْلُومٍ ، إِلَى أَجَلٍ مَعْلُومٍ». مُتَّفَقٌ عَلَيْهِ . وَلِلْبُحَارِيِّ : «مَنْ أَسْلَفَ فِي شَيْءٍ».

876. Ibn 'Abbâs (RAA) narrated, 'When the Messenger of Allâh acame to Madînah they were paying one and two years in advance for fruit, so he said, "Whoever pays money in advance for dates or fruit (to be delivered later) should pay for it with a known specified weight and measure (of dates or fruit to be delivered)." Agreed upon.

٨٧٧ — وَعَـــنْ عَـــبْدِالرِّحْمَنِ بْنِ أَبْزَى وَعَبْدِاللَّهِ بْنِ أَبِي أُوْفَى - رَضِيَ اللَّهُ تَعَالَى عَــنْهُمَا - قَالاً : «كُنَّا نُصِيبُ الْمَغَانِمَ مَعَ رُسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَكَانَ يَأْتِينَا أَنْيَاطٌ مِنْ أَنْبَاطِ الشَّامِ ، فَنُسْلِفُهُمْ فِي الْحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ» ، وَفِي رِوَايَةٍ : يَأْتِينَا أَنْيَاطٌ مِنْ أَنْبَاطِ الشَّامِ ، فَنُسْلِفُهُمْ فِي الْحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ» ، وَفِي رِوَايَةٍ : «وَالزَّبْتِ إِلَى أَجَلٍ مُسَمَّى ، قِيلَ : أَكَانَ لَهُمْ زَرْعٌ ؟ قَالاً : مَا كُنَّا نَسْأَلُهُمْ ذَلِكَ». رَوَاهُ البُحَارِيُّ .

877. 'Abdul Rahmân bin Abzâ and 'Abdullâh bin Abî Aufâ (RAA) narrated, 'We used to get war booty while we were with Allâh's Messenger sand when the Nabat<sup>274</sup> of Shâm came to us (to make deals)we used to pay them in advance for wheat, barley, and

<sup>272-</sup> Buying in advance, refers to the sale of described goods or items to be delivered by the seller to the buyer at a certain time.

<sup>273-</sup> The word "Rahn" in Islâmic Shart ah means items of possessions offered as security for a debt so that the debt will be taken from these possessions in case the debtor failed to pay back the due money.

<sup>274-</sup> Arabs who mixed with the Romans so that their lineage became mixed (not pure Arabs anymore) and their Arab tongue was spoiled.

raisins (or oil in another version) to be delivered within a fixed period of time.' They were asked (by other companions), 'Did the Nabat own standing crops or not (at the time of the deal)?' They replied, 'We never asked them about that.' Related by Al-Bukhârî.

٨٧٨ ـــ وَعَنْ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــــالَ : «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلاَفَهَا أَثْلَفَهُ اللَّهُ – تَعَالَى –». رَوَاهُ الْبُخَارِيُّ .

878. Abû Hurairah (RAA) narrated, 'Whoever takes people's money (as a loan) with the intention of repaying it, Allâh will repay it on his behalf, and whoever takes it in order to squander it,<sup>275</sup> then Allâh will punish him.'<sup>276</sup> Related by Al-Bukhârî.

٨٧٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنَّ فُلاَنَا قَدِمَ لَهُ بَزٌّ مِنَ الشَّامِ ، فَلَوْ بَعَثْتَ إِلَيْهِ ، فَأَخَذْتَ مِنْهُ ثُونَيْنِ نَسِيئَةً إِلَى مَيْسَرَةٍ ؟ فَيَعَثَ إِلَيْهِ ، فَامْتَنَعَ». أَخْرَجَهُ الْحَاكِمُ ، وَالْبَيْهَقِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

879. 'Â'ishah (RAA) narrated, 'I said: 'O Messenger of Allâh so and so has been brought material from Syria, will you send him someone to buy two garments on credit until it is easy for you to repay? So, the Messenger of Allâh sent someone to him but he refused.' Related Al-Hâkim and Al-Baihaqî with a trustworthy chain of narrators.

٨٨٠ - وَعَـــنْ أَبِـــي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الطَّهْرُ يُرْكَ لِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا ، وَلَبَنُ الدَّرِّ يُشْرَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا ، وَعَلَى الَّذِي يَرْكَبُ وَيَشْرَبُ النَّفَقَةُ». رَوَاهُ الْبُحَارِيُّ .

880. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A mortgaged animal may be ridden by the mortgagee, in return for its expenses and one can drink the

<sup>275-</sup> Which means that he did not take the money out of need but he took it just to spend it, having no intention to pay it back.

<sup>276-</sup> Allâh will punish him for his evil intentions in this world and in the Hereafter.

milk of a milch-animal in return for its expenses, if it is mortgaged. He, who rides the animal or drinks its milk has to pay the expenses." Related by Al-Bukhârî.

٨٨١ ـــ وَعَـــنْهُ قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَعْلَقُ الرَّهْنُ مِنْ صَاحِبِهِ الَّذِي رَهَنَهُ ، لَهُ غُنْمُهُ ، وَعَلَيْهِ غُرْمُهُ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَالْحَاكِمُ ، وَرِحَالُهُ تِقَاتُ ، إِلاَّ أَنَّ الْمحْفُوظُ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ إِرْسَالُهُ .

881. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "The mortgaged item does not become the property of the mortgagee <sup>277</sup> –it remains the property of the owner who mortgaged it- he (i.e. the mortgagor) is entitled to its benefits (or increase in value) and he is liable for its expenses (or loss)."Related by Ad-Dâraqutnî and Al-Hâkim with a trustworthy chain of narrators.

٨٨٢ ـــ وَعَنْ أَبِي رَافِعٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْرًا ، فَقَدَمَتْ عَلَيْهِ إِبلٌ مِنْ إِبلِ الصَّدَقَةِ ، فَأَمَرَ أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ مِنْ إِبلِ الصَّدَقَةِ ، فَأَمَرَ أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ بَكُــرَهُ ، فَقَدَالَ : «أَعْطِهِ إِيَّاهُ ، فَإِنَّ حَيَارَ النَّاسِ بَكُــرَهُ ، فَقَالَ : «أَعْطِهِ إِيَّاهُ ، فَإِنَّ حَيَارَ النَّاسِ أَحْسَنُهُمْ فَضَاءً». رَوَاهُ مُسْلِمٌ .

882. Abû Râfi' (RAA) narrated, 'The Messenger of Allâh sorrowed a young camel (less than six years) from a man, and when the camels of  $Zak\hat{a}h$  were brought to him, he ordered Râfi' to return the young camel to its owner. Abû Râfi' returned to the Prophet and said, 'I could only find an excellent camel above the age of six.' The Messenger of Allâh said to him, "Give it to him, for the best men are those who are best in paying off their debts." Related by Muslim.

<sup>277-</sup> In Jāhiliyah -before Islâm- Arabs were in the habit that the mortgagee would claim the ownership of the mortgaged item if the mortgagor failed to pay the due money, so the Prophet 类 prohibited this practice.

٨٨٣ ـــ وَعَـــنْ عَلِيٍّ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كُلُّ قَرْضٍ جَرَّ مَنْفَعَةً فَهَوَ رَبًا». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةً ، وَإِسْنَادُهُ سَاقِطٌ .

883. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, "Every loan which leads to an extra interest(when repaid), is considered *Ribâ* (Usury)." Related by Al-Hârith bin Abî Usâmah, but there are omissions in its chain of narrators..

884. Al-Baihaqî related a similar weak narration on the authority of Fadâlah bin 'Ubaid.

885. Al-Baihaqî also narrated a similar narration on the authority of 'Abdullâh bin Salâm, but it was not traced back to the Prophet ...

# بَابُ التَّفْلِيسِ وَالْحَجْسِ

### Chapter VI: Bankruptcy and Hajr<sup>278</sup>

٨٨٦ ـــ عَـــنْ أَبِـــي بَكْرِ بْنِ عَبْدِالرَّحْمَنِ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْنَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ أَدْرَكَ مَالَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ». مُتَّفَقٌ عَلَيْهِ .

886. Abû Bakr bin 'Abdur Rahmân narrated on the authority of Abû Hurairah (RAA), 'We heard the Messenger of Allâh ﷺ say, "If a creditor finds the very piece of goods (which he sold) with a man who went bankrupt, he is more entitled to take them back than anybody else." Agreed upon.

٨٨٧ ـــ وَرَوَاهُ أَبُو دَاوُدَ ، وَمَالِكَ مِنْ رِوَايَةِ أَبِي بَكْرٍ بْنِ عَبْدالرَّحْمَنِ مُرْسَلاً بِلَفْظِ : «أَيُّمَـــا رَجُـــلٌ بَاعَ مَتَاعًا فَأَفْلَسَ الَّذِي ابْتَاعَهُ ، وَلَمْ يَقْضِ الَّذِي بَاعَهُ مِنْ ثَمَنِهِ شَيْئًا

<sup>278-</sup> Suspension of dealings for the insane and children. .

887. Abû Dawûd and Mâlik transmitted on the authority Abû Bakr bin 'Abdur Rahmân in a <u>Hadîth Mursal</u>, "If anyone sells goods on credit to a man who went bankrupt, and has not paid him any of the price of the goods, then if the very piece of goods (which he sold) are with that man, he is more entitled to take them back (than anybody else). And if the buyer dies, the owner of the goods is then equivalent to the other creditors (i.e. he is no more entitled than them in taking his goods back)."

٨٨٨ — وَرَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَهُ مِنْ رِوَايَةٍ عُمَرَ بْنِ حَلَدَةَ قَالَ : أَتَيْنَا أَبَا هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - فِي صَاحِب لَنَا قَدْ أَفْلُسَ ، فَقَالَ : لأَقْضِيَنَّ فِيكُمْ بِقَضَاءِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَفْلُسَ أَوْ مَاتَ فَوَجَدَ رَجُلٌ مَتَاعَهُ بِعَيْنِهِ فَهُو أَحَقُّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَفْلُسَ أَوْ مَاتَ فَوَجَدَ رَجُلٌ مَتَاعَهُ بِعَيْنِهِ فَهُو أَحَقُّ اللَّهِ عَلَيْهِ وَسُلَّمَ اللَّهُ عَلَيْهِ وَسَلَّمَ الزَّيَادَةَ فِي اللَّهِ عَلَيْهِ الرَّيَادَةَ فِي الرَّيَادَةَ فِي الرَّيَادَةَ فِي الرَّيَادَةَ فِي الْمُورْت .

888. Abû Dawûd and Ibn Mâjah related the same <u>Hadîth</u> on the authority of Umar bin Khaladah, 'We went to Abû Hurairah (RAA) to tell him about one of our friends who had gone bankrupt. He said, "I shall certainly judge among you with the same judgment of the Prophet , "If anyone becomes bankrupt or dies and the owner of the goods finds the very piece of goods which he sold, he is more entitled to take them back (than anybody else)." It was rendered as weak by Abû Dawûd, but al-Hâkim graded it as <u>Sahîh</u>.

٨٨٩ ـــ وَعَنْ عُمَرِو بْنِ الشَّرِيد عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «لَيُّ الْوَاحِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَعَلَّقَهُ الْبُحَارِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

889. 'Amro bin ash-Sharîd narrated on the authority of his father (RAA) that the Messenger of Allâh said, "Lingering in paying back a due debt(by one who can afford to pay), justifies

**his defamation and punishment.**" Related by Abû Dawûd and An-Nasâ". Ibn <u>H</u>ibbân graded it as  $\underline{Sah}\hat{ih}$ .

٨٩٠ \_ وَعَنْ أَبِي سَعِيد الْحُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي ثَمَارِ ابْنَاعَهَا ، فَكَثْرَ دَيْنَهُ ، فَأَفَلَسَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَصَدَّقُواْ عَلَيْهِ» فَتَصَدَّقَ النَّاسُ عَلَيْهِ ، وَلَمْ يَبْلُغْ ذَلِكَ وَفَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِغُرَمَائِهِ : «خُذُوا مَا وَجَدْتُمْ ، وَلَيْسَ لَكُمْ إِلاَّ ذَلِكَ». رَوَاهُ مُسْلِمٌ .

890. Abû Sa'îd al-Khudrî (RAA) narrated,'A man suffered loss in fruit that he had bought, and owed the seller a large amount of money so that he became bankrupt. The Messenger of Allâh said, "Give him <u>Sadaqah</u> (charity)." People paid him charity, but that was not enough to pay his debt. The Messenger of Allâh said to his creditors, "Take what you find, and that is all you may have." Related by Muslim.

٨٩١ ــ وَعَـــنِ ابْنِ كَعْبِ بْنِ مَالَكِ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ رَسُولَ اللَّــهِ صَـــلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ حَجَرً عَلَى مُعَاذ مَالَهُ ، وَبَاعَهُ فِي دَيْنٍ كَانَ عَلَيْهِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُرْسَلاً ، وَرَجَّحَ إِرْسَالَهُ .

891. Ka'b bin Mâlik narrated on the authority of his father (RAA), 'The Messenger of Allâh suspended the property of Mu-âdh (prohibiting him from making any deals) and sold it to repay a debt that was due on him.' Related by Ad-Dâraqutnî and was graded as <u>Sahîh</u> by Al-<u>H</u>âkim.

٨٩٢ ــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «عُرِضْتُ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمُ أُخُد ، وَأَنَا ابْنُ أَرْبَعَ عَشَرَةَ سَنَةً - فَلَمْ يُجزْنِي ، وَعُرِضْتُ عَلَيْهِ يَوْمَ الْخَنْدَقِ ، وَأَنَا ابْنُ خُمْسَ عَشَرَةً سَنَةً ، فَأَجَازَتِي». مُتَّفَقٌ عَلَيْهِ . وَطَحْدُهُ ابْنُ خُرَيْمَةَ . وَفِي رِوَايَةٍ لِلْبَيْهِقِيِّ : «فَلَمْ يُجزْنِي وَلَمْ يَرَنِي بَلَّغْتُ». وَصَحَّحُهُ ابْنُ حُزَيْمَةَ .

892. Ibn 'Umar (RAA) narrated, 'I was presented to the Prophet & on the Day of Uhud when I was fourteen years of age (to

ask him for permission to fight with the men), but he did not allow me (to take part in the battle). I was again called on the Battle of al-Khandaq (the Trench) when I was fifteen years old, and he allowed me (to take part in the battle)."279 Agreed upon.

Al-Baihaqî's version has, 'He did not allow me as he did not see that I have attained puberty.' Ibn Khuzaimah graded it as <u>Sahîh</u>.

٨٩٣ ـــ وَعَـــنْ عَطِيَّةَ الْفُرَظِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «عُرِضْنَا عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ قُرَيْظَةَ ، فَكَانَ مَنْ أَثْبَتَ قُتِلَ ، وَمَنْ لَمْ يُنْبِتْ خَلَّى سَبِيلَهُ ، فَكُنْـــتُ مِمَّــنْ لَـــمْ يُنْبِــتْ فَخَلِّى سَبِيلِي». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَقَالَ : عَلَى شَرُطِ الشَّيْخَيْنِ .

893. 'Atiyah al-Quradhî (RAA) narrated, 'We were brought to the Prophet in on the Day of Quraidhah. Those who had begun to grow (pubic) hair were killed, and those who had not grown hair, were set free. I was among those who had not grown any (pubic) hair, so I was set free.' Related by the four Imâms and rendered as Sahîh by Ibn Hibbân and Al-Hâkim.

٨٩٤ — وَعَـــنْ عَمْــرِو بْنِ شُعَيْب عَنْ أبيه عَنْ جَدِّه - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَسُولَ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَجُوزُ لامْرَأَةَ عَطِيَّةٌ إِلاَ بإِذْنِ زَوْجِهَا».
وَفِـــي لَفْـــظ : «لاَ يَجُوزُ لِلْمَرْأَةِ أَمْرٌ فِي مَالِهَا ، إِذَا مُلكَ زَوْجُهَا عَصْمَتَهَا». رَوَاهُ أَخْمَدُ ، وَأَصْحَابُ السُّنَن ، إلاَّ التِّرْمذيَّ ، وَصَحَّحَهُ الْحَاكمُ .

894. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather (RAA) that the Messenger of Allâh said, "It is not permissible for a woman to give (any part of her possessions) except with the permission of her husband."

In another version, "It is not permissible for a woman to be in charge of any of her property if her husband has the full

<sup>279-</sup> Scholars deduced from this <u>h</u>adith that fifteen is the age limit between childhood and manhood, and that anyone who has not attained the age of fifteen, is not allowed to be in charge of his money or make any business dealings.

right to divorce her.<sup>280</sup>" Related by Ahmad and the authors of the *Sunan* except for At-Tirmidhî. Al-Hâkim graded it as *Sahîh*.

895. Qabîsah bin Mukhâriq (RAA) narrated that the Messenger of Allâh said, "Asking for (the money of) Zahâh, is justified only for the following three: first, a man who is in debt, it is then permissible for him to receive [Zahâh] until his difficulty is resolved; second, a man who was struck by calamity which destroyed his holdings, which also makes it permissible for him to receive [Zakâh] until he is in a position to earn his own sustenance; and third, a man who has been reduced to poverty and three persons of caliber from among his people testify to his desperate situation, will receive until he finds for himself a means of support." Related by Muslim.

Imâm al-Khattâbî said that this is not an obligation on the woman, rather it is just preferable due to the joint life between them to take his permission, or that this is only relevant to a woman who has not reached puberty. This is supported by the Hadîth, which relates that the Prophet said to the women (on the Day of al-Ad-hâ), "Give Charity", and the women straight away started to throw their jewelry to the Prophet s, whether ear-rings, rings etc and Bilâl was collecting them in his garment, and this is considered as giving of their property without the permission of the husband, and this is the opinion of the scholars.

# بَسابُ الصُّلْسِج

### Chapter VII: Reconciliation

٨٩٦ — عَــنْ عَمْرِو بْنِ عَوْف الْمُزْنِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الصَّلْعُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ إِلاَّ صُلْحًا حَرَّمَ حَلاَلاً ، أَوْ أَحَلُّ حَرَامًا ، وَالْمُسْلِمُونَ عَلَى شُرُوطِهِم ، إِلاَّ شَرْطًا حَرَّمَ حَلاَلاً ، أَو أَحَلُّ حَرَامًا». رَوَاهُ السَّتِّرْمِذِيُّ وَصَحَّحَهُ ، وأَنْكَرُوا عَلَيْهِ ؛ لأَنَّ رَاوِيَهُ كَلِيرُ بْنُ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ عَوْف ضَعيفٌ ، وَكَأَنَّهُ اعْتَبَرَهُ بِكَثْرَة طُرُقه .

896. 'Amro bin 'Auf al-Muzanî (RAA) narrated that the Messenger of Allâh said, "Reconciliation is permissible between Muslims, except one which makes something that is lawful (Halâl) as unlawful, or makes something which is unlawful (Harâm) as lawful. Muslims are to adhere to their terms (conditions) save a term that permits something which is unlawful (Harâm) or prohibits something which is lawful (Halâl)." Related by At-Tirmidhî who graded it as Sahîh, but scholars disagreed with him because the narration of Kathîr bin 'Abdullâh bin 'Amro bin 'Auf is weak. Perhaps at-Tirmidhî considered it reliable as it was narrated through many chains of narrators.

٨٩٧ ـــ وَقَدْ صَحَّحَهُ ابْنُ حِبَّانَ ، مِنْ حَدِيثِ أَبِي هُرَيْرَةَ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – .

897. Ibn <u>H</u>ibbân rendered it as a <u>H</u>adîth <u>Sah</u>îh on the authority of Abû Hurairah.

٨٩٨ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَمْنَعْ حَارٌ حَارَهُ أَنْ يَغْرِزَ خَشَبَةُ فِي حِلَارِهِ» ، ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ : مَا لِي أَرَاكُمْ عَنْهَا مُغْرِضِينَ ؟ وَاللَّهِ لأَرْمِينَّ بِهَا بَيْنَ أَكْتَافِكُمْ . مُتَّفَقِّ عَلَيْهِ .

898. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "No one should prevent his neighbor from fixing a wooden peg in his wall." Abû Hurairah then said (to his companions), 'Why do I find you averse to it? By Allâh, I will always keep narrating it to you (to remind you of this hadîth)." Agreed upon.

٨٩٩ ـــ وَعَـــنْ أَبِــي حُمَيْد السَّاعِدِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحُلُّ لامْرِئُ أَنْ يَأْخُذَ عَصَا أَخِيهِ بِغَيْرِ طِيبِ نَفْسٍ مِنْهُ». رَوَاهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ فِي صَحِيحَيهِمًا .

899. Abû <u>H</u>amîd as-Sâ'idî (RAA) narrated that the Messenger of Allâh said, "No Muslim has the right to take his (Muslim) brother's stick except with his willing permission." Related by Ibn <u>H</u>ibbân and Al-<u>H</u>âkim.

# بَابُ الْحَوَالَةِ وَالضَّمَانِ

## Chapter VIII: <u>H</u>iwâlah (Transferring the Right to Collect a Debt) and <u>D</u>amân (Guaranteeing Payment)

٩٠٠ عن أبي هُرَيْرَة - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رسولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَطْلُ الْغَنِيِّ ظُلْمٌ ، وَإِذَا أُثْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيُثْبَعْ» مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لأَحْمَدَ : «وَمَنْ أُحِيْلَ فَلْيُحْتَلْ».

900. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Lingering in repaying due debts by a wealthy person is an act of injustice. And if one of you is referred to a wealthy person (i.e. his debt is transferred to that person to pay it on his behalf), he should accept it" Agreed upon.

٩٠١ \_ وَعَـــنْ حَابِر - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : تُوفِّنِي رَجُلٌ مِنَّا ، فَغَسَّلْنَاهُ ، وَحَنَّطْنَاهُ ، ثُمَّ أَتَيْنَا بِهِ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقُلْنَا : تُصلِّي عَلَيْهِ؟ وَحَنَّطْنَاهُ وَكَفَيْنَاهُ ، ثُمَّ قَالَ : ﴿ أَعَلَيْهِ دَيْنٌ ؟ » ، فَقُلْنَا : دَيْنَارَانِ ، فَانْصَرَفَ ، فَتَحَمَّلَهُمَا فَخَطَــا خُطًى ، ثُمَّ قَالَ : ﴿ أَعَلَيْهِ دَيْنٌ ؟ » ، فَقُلْنَا : دَيْنَارَانِ ، فَانْصَرَفَ ، فَتَحَمَّلَهُمَا أَبُو قَتَادَةً ، فَقَالَ رَسُولُ اللَّهِ صَلِّى اللَّهُ عَلَيْهِ

وَسَــــلَّمَ : «حَـــقَّ الْغَـــرِيمِ ، وَبَـــرِيءَ مِنْهُمَا الْمَبَّتُ» ، قَالَ : نَعَمْ ، فَصَلَّى عَلَيْهِ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

901. Jâbir (RAA) narrated, 'A man from among us died, so we made Ghusl for him and shrouded him, and we brought him to the Prophet , and said, 'Shall we offer the funeral prayer (Janâzah) for him?' Allâh's Messenger made a few steps forward and then said, "Is he in debt?" We replied, Yes, two Dînârs (that he owes to somebody).' The Messenger of Allâh then turned away, but Abû Qatâdah took upon himself the responsibility to pay the debt. We then went back to the Prophet and Abû Qatâdah said, 'I shall pay the two Dînârs.' The Messenger of Allâh thereupon said, "Are you taking the responsibility of paying the creditor his rights? In that case the dead will be free from this obligation" Abû Qatâdah said, 'Yes.' The Messenger of Allâh then offered the funeral prayer for the deceased. Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân and al-Hâkim graded it as Sahîh.

٩٠٢ \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُؤْتَى بِالرَّجُلِ الْمُتَوَفَّى عَلَيْهِ الدَّيْنُ فَيَسْأَلُ : «هَلْ تَرَكَ لِدَيْنِهِ مِنْ قَضَاء ؟» وَسَلَّمَ كَانَ يُؤْتَى بِالرَّجُلِ الْمُتَوفَّى عَلَيْهِ ، وَإِلاَّ قَالَ : «صَلُّوا عَلَى صَاحِبكُمُ» ، فَلَمَّا فَتَحَ اللَّهُ عَلَيْهِ ، وَإِلاَّ قَالَ : «صَلُّوا عَلَى صَاحِبكُمُ» ، فَلَمَّا فَتَحَ اللَّهُ عَلَيْهِ مَنْ أَنْفُسِهِم فَمَنْ تُوفَقِي وَعَلَيْهِ دَيْنٌ ، اللَّهُ وَعَلَيْهِ دَيْنٌ ، فَعَلَى عَلَيْهِ . هُنَّفَقٌ عَلَيْه .

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «فَمَنْ مَاتَ وَلَمْ يَتْرُكْ وَفَاءً».

902. Abû Hurairah (RAA) narrated, 'Whenever a man, who had died while being in debt was brought to Allâh's Messenger , he would ask, 'Has he left anything to repay his debt?' If he was told that he had left something to repay his debts, he would lead the funeral prayer for him, otherwise he would say, "Offer the funeral prayer for your brother." When Allâh guaranteed His Messenger wealth through conquests, he said, "I am closer to the believers than themselves, so if a Muslim dies while

in debt, I am responsible for the repayment of his debt."
Agreed upon.

In a version by Al-Bukhârî, "Whoever dies without leaving anything to pay his debt, I am responsible ..."

903. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather, that the Messenger of Allâh said, "No guarantee (i.e. guaranteeing another's appearance) is accepted in prescribed punishments." Related by Al-Baihaqî with a weak chain of narrators.

# بَابُ الشَّرِكَةِ وَالْوَكَالَةِ

### Chapter IX: Partnership and Agency

٩٠٤ ــ عَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «قَالَ اللَّهُ - تَعَالَى - : أَنَا ثَالِثُ الشَّرِيكَيْنِ مَا لَمْ يَخُنْ أَحَدُهُمَا صَاحِبَهُ ، فَإِذَا خَانَ خَرَجْتُ مِنْ يَيْنِهِمَا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

904. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "Allâh, the Most High says, I am the third (partner) of two partners as long as one of them does not betray the other; if they betray (each other), I shall depart from them." Related by Abû Dawûd. Al-Hâkim graded it as <u>Sahîh</u>

٩٠٥ ـــ وَعَـــنِ السَّـــائِبِ الْمَخْـــزُومِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ كَانَ شَرِيكَ النَّبِيِّ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ قَبْلَ الْبِعْثَةِ ، فَجَاءَ يَوْمَ الْقَتَحِ فَقَالَ : «مَرْحَبًا بِأَخِي وَشَرِيكِي».
 رَوَاهُ أَحْمَلُهُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهُ .

905. As-Sâ'ib Al-Makhzûmî (RAA) narrated that he was the partner of the Prophet specifies before the Message. On the Day of the Conquest of Makkah, the Prophet specifies said (to him), "Welcome my

brother and my partner." Related by Ahmad, Abû Dawûd and Ibn Mâjah.

٩٠٦ ـــ وَعَـــنْ عَبْدِاللَّهِ بْنِ مَسْعُودٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «اشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ ، فِيمَا نُصِيبُ يَوْمَ بَدْرٍ». الْحَدِيثَ . رَوَاهُ النَّسَائِيُّ .

906. 'Abdullâh Ibn Mas'ûd (RAA) narrated, 'Ammâr, Sa'd and I agreed to become partners in whatever we obtained from the war booties on the Day of *Badr*." Related by An-Nasâ'î.

٩٠٧ ـــ وَعَنْ جَابِرِ بْنِ عَبْداللّه - رَضِيَ اللّهُ تَعَالَى عَنْهُمَا - قَالَ : أَرَدْتُ الْخُرُوجَ إِلَـــى خَيْـــبَرَ ، فَأَتَيْتُ النّبِيَّ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «إِذَا أَتَيْتَ وَكِيلِي بِخَيْبَرَ ، فَخُذْ مِنْهُ خَمْسَةَ عَشَرَ وَسْقًا». رَوَاهُ أَبُو دَاوُدَ وَصَحَّحَهُ .

907. Jâbir bin 'Abdullâh (RAA) narrated, 'I intended to go to Khaibar, so I went to the Prophet  $\frac{1}{2}$  (to tell him) and he said to me, "If you meet my agent (who collects the  $Zak\hat{a}h$  property) at Khaibar, take fifteen Awsuq from him." Related by Abû Dawûd who graded it as  $\underline{Sah\hat{a}h}$ .

٩٠٨ ـــ وَعَـــنْ عُرْوَةَ الْبَارِقِيِّ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ بَعَــــتَ مَعَهُ بِدِينَارٍ ، يَشْتَرِي لَهُ أُضْحِيَّةً . الْحَدِيثَ . رَوَاهُ الْبُحَارِيُّ فِي أَنْنَاءِ حَدِيثٍ ، وَقَدْ تَقَدَّمَ .

908. Urwah al-Bâriqî (RAA) narrated that the Messenger of Allâh save him a Dînâr to buy him a sacrificial animal or sheep (refer to hadîth no. 839.) Related by Al-Bukhârî.

٩٠٩ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عُمَرَ عَلَى الصَّدَقَةِ .» الْحَدِيثَ . مُتَّفَقَّ عَلَيْهِ .

909. Abû Hurairah (RAA) narrated that the Messenger of Allâh sent 'Umar to collect the Zakâh property .' Agreed upon.

٩١٠ ـــ وَعَـــنْ جَابِــر - وَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَحَرَ ثَلاَثُما وَسَـــتِّينَ ، وَأَمَــرَ عَلِـــيًّا - رَضِيَ اللَّهُ عَنْهُ - أَنْ يَذْبَحَ الْبَاقِي .» الْحَدِيثَ. رَوَاهُ مُسْلَمٌ .

910. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh sacrificed sixty-three (camels) and ordered 'Alî to slaughter the rest (refer to hadîth 760).' Related by Muslim.

٩١١ - وَعَــنْ أَبِــي هُرَيْــرَةَ فِي قِصَّةِ الْعَسيفِ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 « وَاغْدُ يَا أُنَيْسُ عَلَى أُمَرَأَةِ هَذَا ، فَإِنْ اعْتَرَفَتْ فَارْجُمْهَا .» الْحَدِيثَ . مُتَّفَقَ عَلَيْه .

911. Abû Hurairah (RAA) narrated with relevance to the story of the hired slave (who committed adultery with the wife of his master), "Go Unais to the wife of this (man, i.e. the master) and if she confesses (that she has committed adultery), then stone her to death.' Agreed upon.

# بَسابُ الإِقْسرَادِ

### Chapter X: Confession

٩١٢ ـ عَـــنْ أَبِـــي ذَرِّ – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قُلِ الْحَقَّ ، وَلَوْ كَانَ مُرَّا». صَحَّحَهُ ابْنُ حِبَّانَ مِنْ حَدِيثٍ طَوِيلٍ .

912. Abû Dharr (RAA) narrated that the Messenger of Allâh said to me, "Say the truth no much how bitter it is." Related by Ibn Hibbân as a part of a long Hadîth and graded it as Sahîh.

## بَسابُ الْسعَساريَسة

### Chapter XI: Al-'Âriya (Lending something For use)

٩١٣ ــ عَـــنْ سَـــمُرَةَ بْـــنِ جُنْدَبِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَلَى الْيَد مَا أَخَذَتْ حَتَّى تُؤَدِّيَهُ». رَوَّاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ الْحَاكُمُ .

913. Samurah bin Jundub (RAA) narrated that the Messen-

ger of Allâh  $\frac{1}{2}$  said, "The hand (the person) which borrowed bears responsibility for the taken item, until it is returned." Related by Ahmad and the four Imâms. Al-Hâkim graded it as  $\underline{Sah}$ îh.

٩١٤ — وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَالَى عَنْهُ - وَالاَ تَخُنْ مَنْ خَانَكَ». رَوَاهُ اللَّهِ عَلَسَيْهِ وَسَــلَمَ : «أَدِّ الأَمَانَةَ إِلَى مَنِ اثْتَمَنَكَ ، وَلاَ تَخُنْ مَنْ خَانَكَ». رَوَاهُ اللَّــةُ عَلَسَيْهِ وَسَــلَمَ : وَاللَّهُ عَلَيْكِ مَنْ الْحَاكِمُ ، وَاللَّتَنْكَرَهُ أَبُو حَاتِمٍ الرَّازِي ، السَّتَرْمِذِيُّ ، وَأَبُو حَاتِمٍ الرَّازِي ، وَأَخْرَجَهُ جَمَاعَةٌ مِنَ الْحُفَّاظِ ، وَهُوَ شَامِلٌ لِلْعَارِيَةِ .

914. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Render back the trusts to those who trusted you, and do not betray those who betrayed you." Related by At-Tirmidhî and Abû Dawûd who graded it as <u>H</u>asan..

٩١٥ ــ وَعَـــنْ يَعْلَى بْنِ أُمْيَّةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ لِي رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلاَثِينَ دِرْعًا» ، قُلْتُ : يا رَسُولَ اللَّه عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلاَثِينَ دِرْعًا» ، قُلْتُ : يا رَسُولَ اللَّــهِ أَعَارِيَةٌ ، مَضْمُونَةٌ ، أَوْ عَارِيَةٌ مُؤَدَّاةٌ ؟ قَالَ : «بَلْ عَارِيَةٌ مُؤَدَّاةٌ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ أَبْنُ حَبَّانَ .
 وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ أَبْنُ حَبَّانَ .

915. Ya lî bin Umaiyah (RAA) narrated that the Messenger of Allâh said to me, "When my messengers come to you, give them thirty coats of mail." I asked, 'O Messenger of Allâh! Is it a lent item with a guarantee of its return (Madmûnah), 281 or just a lent item that will be returned (Mu'addâh) (in this case he is not financially liable for its loss or destruction.' The Messenger of Allâh said, "No, it is a lent item that will be returned." 282

<sup>281-</sup> For which he(the person lent to) is financially liable if it is destroyed due to negligence or being used for other than what the lender permitted.

<sup>282-</sup> Some scholars take this <u>h</u>adîth as evidence that the person who borrows an item for a certain period of time is not financially liable for its destruction but is only responsible to give it back as long as it is safe. But most scholars are of the opinion that if a lent item is lost or destroyed due to misuse then the person who borrowed it must pay its price which is the *Ariya Madmûnah*.

Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as  $\underline{Sah}\hat{ih}$ .

٩١٦ ــ وَعَــنْ صَــفُوانَ بْــنِ أُمَيَّةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْه وَسَــلَّمَ اسْتَعَارَ مِنْهُ دُرُوعًا يَوْمَ حُنَيْنٍ ، فَقَالَ : أَغَصْبٌ يَا مُحَمَّدُ ؟ قَالَ : «بَلْ عَارِيَةٌ مَضْمَوْنَةٌ». رَوَاهُ أَبُو دَاوُدَ ، وَأَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

916. Safwân bin Umaiyah (RAA) narrated, 'The Messenger of Allâh sorrowed coats of mail from him on the Day of <u>Hunain</u>. Safwân asked him, 'Are you taking them by force O Muhammad?' The Messenger of Allâh replied, "No, it is a loan with a guarantee of its return (<u>Madmûnah</u>)." Related by Abû Dawûd, Ahmad and An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

917. Al-<u>H</u>âkim narrated a similar <u>h</u>adîth on the authority of Ibn 'Abbâs (RAA).

### بَسابُ الْسَعَسب

# Chapter XII: Ghasb (The return of wrongfully taken property)

٩١٨ — عَــنْ سَــعِيدِ بْنِ زَيْدِ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «مَــنِ اقْتَطَعَ شِبْرًا مِنَ الأَرْضِ ظُلْمًا طَوَّقَهُ اللَّهُ إِيَّاهُ يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرْضِينَ». مُتَّفَقٌ عَلَيْهِ .

918. Sa'îd bin Zaid (RAA) narrated that the Messenger of Allâh said, "Whoever usurps even one span of anyone's land, his neck will be encircled with it down the seven earths on the Day of Judgment." Agreed upon.

٩١٩ ـــ وَعَـــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ عِنْدَ بَعْــضِ نِسَائِهِ ، فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ مَعَ خَادِمٍ لَهَا بِقَصْعَةٍ فِيهَا طَعَامٌ ، فَضَرَبَتْ بِيَدِهَا ، فَكَسَرَتْ الْقَصْعَةَ فَضَمَّهَا ، وَجَعَلَ فِيهَا الطَّعَامَ ، وَقَالَ : «كُلُوا ». وَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ للرَّسُولِ ، وَحَبَسَ الْمَكْسُورَةَ . رَوَاهُ الْبُخَارِيُّ ، وَالتَّرْمِذِيُّ ، وَسَمَّى الضَّارِبَةَ : عَانِشَةَ ، وَزَادَ : «فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : طَعَامٌ بِطَعَامٍ ، وَإِنَا ۚ بِإِنَاءِ» ، وَصَحَّحَهُ .

919. Anas (RAA) narrated, 'While The Messenger of Allâh saw with one of his wives, one of the mothers of the believers (i.e. one of his wives) sent a bowl containing some food with a servant of hers. The wife (in whose house the Messenger of Allâh saw was sitting) struck the bowl with her hand and broke it. The Prophet collected the shattered pieces and put the food back in it and said to them, "Eat." The Messenger of Allâh then gave another unbroken bowl to the servant and kept the broken one.' Related by Al-Bukhârî and At-Tirmidhî, who mentioned that the one who broke the bowl was 'Â'ishah(RAA). He also added in his version, 'and the Messenger of Allâh said, "Food for food and a bowl for a bowl."

٩٢٠ — وَعَنْ رَافِعِ بْنِ حَدِيجٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّهُ وَسَلَّمَ : «مَـــنْ زَرَعَ فِي أَرْضِ قَوْمٍ بَغَيْرٍ إِذْنِهِمْ فَلَيْسَ لَهُ مِنَ الزَّرْعِ شَيْءٌ ، وَلَـــهُ نَفَقَتُهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَحَسَّنَهُ التَّرْمِذِيُّ ، وَيُقَالُ : إِنَّ البَّحَارِيُّ ضَعَّفهُ .
 البُخارِيُّ ضَعَّفهُ .

920. Râfi' bin Khadîj (RAA) narrated that the Messenger of Allâh said, "If anyone sows in other people's land without their permission, he has no right to any of the crop, but he may get back what it cost him." Related by Ahmad, and the four Imâms except for An-Nasâ'î. At-Tirmidhî graded it as <u>Hasan</u>.

٩٢١ \_ وَعَنْ عُرْوَةَ بْنِ الزُّبَيْرِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَجُلٌ مِنْ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّهُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ رَجُلَيْنِ احْتَصَمَا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَي اللَّهُ عَلَيْهِ وَسَلَّمَ فَي اللَّهُ عَلَيْهِ وَسَلَّمَ فِيها نَحْلاً ، وَالأَرْضُ لِلآخَرُ ، فَقَضَى رَسُولُ عَلَيْهِ وَسَلَّمَ فِي أَرْضِ ، غَرَسَ أَحَدُهُمَا فِيها نَحْلاً ، وَالأَرْضُ لِلآخَرُ ، فَقَضَى رَسُولُ

اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالأَرْضِ لِصَاحِبِهَا ، وَأَمَرُ صَاحِبَ النَّخْلِ أَنْ يُخْرِجَ نَخْلَهُ ، وَقَالَ : «لَيْسَ لِعِرْقِ ظَالِم حَقِّ». رَوَاهُ أَبُو داود ، وَإِسْنَادُهُ حَسَنٌ .

921. Urwah bin Az-Zubair (RAA) narrated, 'A man from the Companions of the Prophet said, 'Two men came to the Prophet disputing over a piece of land, in which one of them had planted palm-trees and the land belonged to the other.' The Prophet judged that the land belonged to its original owner and commanded the other to take out his palm-trees (which he planted unjustly), and said, "No right pertains to the one who plants the land of others wrongfully." Related by Abû Dawûd with a good chain of narrators.

٩٢٢ ـــ وَآخِرَهُ عِنْدَ أَصْحَابِ السُّنَنِ مِنْ رِوَايَةِ عُرْوَةً ، عَنْ سَعِيدِ بْنِ زَيْدٍ ، وَاخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ ، وَفِي تَعْيِينِ صَحَابِيَّهِ .

922. The quoted part of the aforementioned <u>Hadîth</u>, is also related by the authors of the *Sunan* on the authority of 'Urwah bin Sa'îd bin Zaid.

٩٢٣ ــ وَعَنْ أَبِي بَكَرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِي خُطْبَتِهِ يَوْمَ النَّحْرِ بِمِنَّى : «إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ عَلَيْكُمْ حَرَامٌ كَحُرْمَةِ يَوْمِكُمْ هَذَا ، فِي شَهْرِكُمْ هَذَا ، فِي بَلَدِكُمْ هَذَا». مُتَّفَقٌ عَلَيْهِ .

923. Abû Bakrah (RAA) narrated that the Messenger of Allâh said in the Sermon of the Farewell Pilgrimage at Minâ, "O people! Surely, your blood and property are inviolable until you meet your Lord, as the inviolability of this day and this month in this land." Agreed upon.

<sup>283-</sup> He either takes out what he cultivated or takes the amount that he spent on it.

### بَابُ الشُّفُعَة

#### Chapter XIII: Ash-Shuf'ah (Preempting the sale of a co-owner's Share to another)

97٤ ـــ عَـــنْ جَابِــرِ بْنِ عَبْداللّهِ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : «قَضَى رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ بِالشَّفْعَةِ فِي كُلِّ مَا لَهُمْ يُقْسَمْ ، فَإِذَا وَقَعَتِ الْحُدُودُ ، وَصُرِّفَتِ الطّرُقُ ، فَلاَ شُفْعَةَ». مُتَّفَقٌ عَلَيْهِ ، وَاللّفْظُ لِلْبُخَارِيِّ .

924. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh & decreed the right of preemption (to the partner) in every joint property (i.e. which is not clearly divided between partners), but if the boundaries of the property were demarcated or the ways and roads were fixed, then there is no preemption.' Agreed upon and the wording is from Al-Bukhârî'.

٩٢٥ \_ وَفِي رِوَايَـة مُسْلِمٍ : «الشُّفْعَةُ فِي كُلِّ شِرْكِ : فِي أَرْضٍ ، أَوْ رَبِّعٍ ، أَوْ حَائِطٍ ، لاَ يُصْلُحُ . وَفِي لَفْظ : لاَ يُحِلُّ أَنْ يَبِيعُ حَتَّى يَعْرِضَ عَلَى شُرِيكِهِ». وَفِي رُوَايَةٍ لِلطَّحَاوِيِّ : «قَضَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالشُّفْعَةِ فِي كُلِّ شَيْءٍ». وَرجَالُهُ ثَقَاتٌ .

925. In Muslim's version, 'Preemption is applicable in every joint property, whether land, a dwelling or a garden. It is not valid —in another version 'it is not lawful- for the partner to sell his share before informing his partner.'

٩٢٦ ـــ وَعَـــنْ أَنَـــسِ بْـــنِ مَالِكَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حَارُ الدَّارِ أَحَقُّ بِالدَّارِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَلَهُ عِلَّةٌ .

926. Anas bin Mâlik narrated that the Messenger of Allâh \$\mathbb{g}\$ said,"The neighbor of the house is the one who has the most right to buy it." Related by An-Nasâ'î. Ibn Hibbân graded it as \$\Sah\tilde{th}\$, but it has a defected chain of narrators.

٩٢٧ \_ وَعَـــنُ أَبِي رَافِعٍ – رَضِيَ اللَّهُ عَنْهُ – فَالَ : فَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْحَارُ أَحَقُّ بِصَقَبِهِ». أَخْرَجَهُ الْبُخَارِيُّ ، وَالْحَاكِمُ ، وَفِيهِ قِصَّةٌ .

927. Abû Râfi´ (RAA) narrated that the Messenger of Allâh ﷺ said, "The neighbor has more right than any one else because of his nearness." Related by Al-Bukhârî and al-<u>H</u>âkim.

٩٢٨ \_ وَعَـــنُ جَابِــرٍ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «الْجَـــارُ أَحَـــقٌّ بِشُفْعَة جَارِهِ ، يُنْتَظَرُ بِهَا - وَإِنْ كَانَ غَائِبًا - إِذَا كَانَ طَرِيقُهُمَا وَاحِدًا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَرِحَالُهُ ثِقَاتٌ .

928. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "The neighbor has the most right to the preemption of his neighbor's property. He should be waited for (before selling it) even if he was absent, when the two properties share the same road." Related by Ahmad and the four Imâms with a reliable chain of narrators.

٩٢٩ \_ وَعَــنِ ابْــنِ عُمَرَ ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الشُّفْعَةُ كَحَلَّ الْعِقَالِ». رَوَاهُ ابْنُ مَاحَةُ ، وَالْبَزَّارُ ، وَزَادَ : «وَلاَ شُفْعَةَ لِغَائِبٍ». وَإِسْنَادُهُ ضَعِيفٌ .

929. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "The right of the neighbor for preemption is similar to loosening a strap." Related by Ibn Mâjah and Al-Bazzâr who added, "There is no preemption for one who is absent." But it is narrated through a weak chain of narrators.

<sup>284-</sup> The Prophet  $\underset{\sim}{m}$  is drawing a parallel between the two cases. When the strap of the camel is loosened it flees immediately, the same applies if the neighbor does not hurry to buy the property which is on sale, then his right to buy it will be lost just as fast as the running of the camel. But this  $\underline{\underline{H}}$ adîth is

# بَسابُ الْقِسرَاضِ

### Chapter XIV: Al-Qirâd (Financing a Profit -sharing venture)

٩٣٠ - عَــنْ صُهَيْب - رَضِيَ اللّهُ عَنْهُ - : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ :
 «ثَلَاثٌ فِيهِنَّ الْبَرَكَةُ ، الَّبَيْعُ إِلَى أَحَلٍ ، وَالْمُقَارَضَةُ ، وَخَلْطُ الْبُرِّ بِالشَّعِيرِ لِلْبَيْتِ ، لاَ للْبَيْعِ». رَوَاهُ ابْنُ مَاجَةُ بِإِسْنَادٍ ضَعِيفٍ .

930. Suhaib (RAA) narrated that the Messenger of Allâh said, "There are three things which are blessed, selling with a postponed credit, 285 Muqâradah, 286 and mixing wheat and barley for one's household and not for sale." Related by Ibn Mâjah with a weak chain of narrators.

٩٣١ ــ وَعَنْ حَكِيمٍ بْنِ حِزَامٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّهُ كَانَ يَشْتَرِطُ عَلَى الرَّجُلِ إِذَا أَعْطَــاهُ مَالاً مُقَارَضَةً : أَنْ لاَ تَجْعَلَ مَالِي فِي كَبِد رَطْبَة ، وَلاَ تَحْمِلَهُ فِي بَحْرٍ ، وَلاَ تَحْمِلُهُ فِي بَحْرٍ ، وَلاَ تَسْنِرِلُ بِهِ فِي بَطْنِ مَسِيلٍ ، فَإِنْ فَعَلْتَ شَيْئًا مِنْ ذَّلِكَ فَقَدْ ضَمِئْتَ مَالِي». رَوَّاهُ الدَّارَقُطْنِيُّ ، وَرَجَالَهُ ثَقَاتٌ .

وَقَـــالَّ مَالِكٌ فِي الْمُوَطَّإِ ، عَنِ الْعَلاَءِ بْنِ عَبْدِالرَّحْمنِ بْنِ يَعْقُوبَ عَنْ أَبِيهِ عَنْ جَدَّهِ : إِنَّهُ عَمِلَ فِي مَالٍ لِعُثْمَانَ عَلَى أَنَّ الرِّبْحَ بَيْنَهُمَا». وَهُوَ مَوْقُوفٌ صَحِيحٌ .

931. <u>Hakîm bin Hizâm (RAA)</u> narrated that he used to say that if he gives money to someone by way of *Muqâradah*; 'You should not trade with my money in living beings, do not transport it by sea, and do not come down with it into the bottom of a river bed. If you do any of these acts, you should guarantee to return me my money.' Related by Ad-Dâraqutnî. Mâlik said in al-Muwatta' on the authority of al-'Alâ' bin 'Abdur-Rahmân bin Ya'qûb on the authority of his father on the authority of his grandfather that he

<sup>285-</sup> Which will be paid for at a later specified time. It is blessed as it gives the buyer a chance to pay for his goods(which he already received), when his money is available.

<sup>286-</sup> Giving someone money with which to do business, on the basis that the provider takes a percentage of the profit.

traded with some property belonging to 'Uthmân on the condition that the profit would be divided in halves between both of them. This is <u>Hadîth Sahîh</u> and Mawqûf

# بَابُ الْمُسَاقَاةِ وَالإِجَارَةِ

### Chapter XV: Musâqâh (Watering grapes or dates for part of the crop) and Ijârah (A Contract for Hire or Lease)

٩٣٢ ـ عَـنِ ابْـنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا يَخْرُجُ مِنْهَا مِنْ ثَمَرٍ أَوْ زَرْعٍ». مُتَّفَقٌ عَلَيْهِ . وَفِــي رِوَايَــة لَهُمَـا : فَسَأَلُوهُ أَنْ يُقرَّهُمْ بِهَا عَلَى أَنْ يَكُفُوهُ عَمَلَهَا ، وَلَهُمْ نَصْفُ السَّمْرِ . فَقَــال لِهُمْ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «نُقرِّكُمْ بِهَا عَلَى ذَلِكَ مَا السَّمْرِ . فَقَرُوا بِهَا ، حَتَّى أَجْلاَهُمْ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - . وَلَمُسْلِم : «أَقرُوا بِهَا ، حَتَّى أَجْلاَهُمْ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - . وَلَمُسْلِم : «أَنْ رَسُــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَحْلَ خَيْبَرَ وَلَهُمْ شَطْرُ ثَمَرِهَا».

932. Ibn 'Umar (RAA) narrated that the Messenger of Allâh made a deal with the people of Khaibar (the Jews) that they would have half the fruit and vegetation of the land they cultivated (in return for their work on it).' Agreed upon.

In another version by Al-Bukhârî and Muslim, They requested the Messenger of Allâh  $\stackrel{*}{\cong}$  to let them stay there on the condition that they would cultivate it and take half of the fruit. The Messenger of Allâh  $\stackrel{*}{\approx}$  told them, "We will let you stay on this condition, as long as we wish." They stayed there until 'Umar (RAA) deported them.

In a version by Muslim, 'The Messenger of Allâh ﷺ handed over to the Jews of Khaibar the palm-trees and its land on the condition that they should cultivate it with their own wealth (providing seeds etc..) and take half of its fruit.' ٩٣٣ \_ وَعَــنْ حَنْظُلَةَ بْنِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَافِعَ بْنَ خَدِيجِ عَـَــنْ كَرَاءِ الأَرْضِ بِالذَّهَبَ وَالْفَضَّة ، فَقَالَ : لاَ بَأْسَ بِهِ ، إِنَّمَا كَانَ النَّاسُ يُوَاجِرُونَ عَلَــي عَهْـــد رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمَاذِيَانَاتِ ، وَأَقْبَالِ الْحَدَاوِلِ ، عَلَــي عَهْـــد رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمَاذِيَانَاتِ ، وَأَقْبَالِ الْحَدَاوِلِ ، وَالشَّيَاءَ مِنَ الزَّرْعِ ، فَيَهْلِكُ هَذَا ، وَيَسْلَمُ هَذَا ، وَيَسْلَمُ هَذَا وَيَهْلِكُ هَذَا ، وَلَمْ يَكُنْ فَاشَيْءَ مِنَ الزَّرْعِ ، فَيَهْلِكُ هَذَا ، وَيَسْلَمُ هَذَا ، وَيَسْلَمُ هَذَا وَيَهْلِكُ هَذَا ، وَلَمْ يَكُنْ فَاللَّاسِ كَرَاءٌ إِلاَّ هَذَا ، فَلِذَلِكَ زَجَرَ عَنْهُ ، فَأَمَّا شَيْءٌ مَعْلُومٌ مَضْمُونٌ فَلاَ بَأْسَ بِهِ . رَوَاهُ مُسْلَمٌ .

وَفِيهِ بَيَانٌ لِمَا أُحْمِلَ فِي الْمُتَّفَقُّ عَلَيْهِ مِنْ إِطْلاَقِ النَّهْيِ عَنْ كِرَاءِ الأَرْضِ .

933. Hanzalah bin Qais (RAA) narrated, 'I asked Râfi' bin Khudaij about letting out land for gold and silver.' Râfi' replied, 'There is no harm in doing that, people used to rent land during the lifetime of the Prophet if for what grew by the streamlets or by the beginning or end of water canals, or for something from the crops. But sometimes, one portion of the product would be destroyed while the other would be saved, whereas (on other occasions) this portion was saved and the other was destroyed and thus no rent was payable to the people (who let out the lands) but for this one (which was saved). It was due to this that he (the Holy Prophet it, unless the land was let out for something, which is well known and reliable to be paid(such as money or something of known value) there is no harm in it.' Related by Muslim.

٩٣٤ ـــ وَعَـــنْ ثَابِت بْنِ الضَّحَّاكِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُزَارَعَةِ ، وَأَمَرَ بِالْمُؤَاجَرَةِ». رَوَاهُ مُسْلِمٌ أَيْضًا .

934. Thâbit bin ad-Dahhâk(RAA) narrated that the Messenger of Allâh prohibited Muzâra ah287 and commanded that people should be employed for a known wage. Related by Muslim.

٩٣٥ ـــ وَعَنِ ابْنِ عَبَّاسٍ قَالَ : «احْتَجَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَأَعْطَى الَّذِي حَجَمَهُ أَجْرَهُ ، وَلَو كَانَ حَرَامًا لَمْ يُعْطِهِ». رَوَاهُ الْبُخَارِيُّ .

<sup>287-</sup> Sharecropping, which means to farm someone's land for a share of the harvest.

935. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ had himself cupped and gave the one who cupped him his wages, and if this pay was prohibited he would not have given it to him.' Related by Al-Bukhârî.

936. Râfi' bin Khadîj (RAA) narrated that the Messenger of Allâh ﷺ said, "The earnings of the cupper are impure(but not prohibited)." Related by Muslim.

٩٣٧ — وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «قَالَ اللَّهُ - عَزَّ وَحَلِّ - : ثَلاَئَةٌ أَنَا خَصْمُهُمْ يَوْمَ الْقَيَامَةِ ، رَجُلِّ أَعْطَى بِي ثُمَّ غَدَرَ ، وَرَجُلٌ بَاعَ حُرُّا فَأَكَلَ ثَمَنَهُ ، وَرَجُلُّ اسْتَأْجَرَ أَجِيرًا ، فَاسْتَوْفَى مِنْهُ ، وَلَمْ يُعْطِه أَجْرَهُ». رَوَاهُ مُسْلمٌ .

937. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, 'Allâh, Glorified be He said, "Three persons are My adversary on the Day of Resurrection: a man who gave a promise in My Name then did not carry it out; a person who sold a free man and took the price; and a man who hired a servant and after using his services, did not give him his wages." Related by Muslim.

938. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "The thing which is most worthy for taking payment is the Book of Allâh." Related by Al-Bukhârî.

<sup>288-</sup> Taking payment for teaching others (children or otherwise) how to recite it, help in memorizing etc.

٩٣٩ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَعْطُوا الأَحِيرَ أَحْرَهُ قَبْلَ أَنْ يَجفُّ عَرَقَهُ». رَوَاهُ ابْنُ مَاحَهُ .

939. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Give a hired person his fees before his sweat dries up." Related by Ibn Mâjah.

٩٤١ ، ٩٤١ ـــ وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةً – رَضِيَ اللَّهُ عَنْهُ – ، عِنْدَ أَبِي يَعْلَى ، وَالْبَيْهِقِيِّ ، وَجَابِرِ عِنْدَ الطَّبَرَانِيِّ ، وَكُلُّهَا ضِعَافٌ .

940, 941. Abû Ua'lâ and al-Baihaqî transmitted something to the same effect as the above on the authority of Abû Hurairah and At-Tabarânî on the authority of Jâbir but they are all weak.

٩٤٢ ـــ وَعَـــنْ أَبِــي سَعِيد الْخُدرِيِّ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنِ اسْتَأْجَرَ أَجِيرًا فَلْيُسَمِّ لَهُ أُجْرَتُهُ». رَوَاهُ عَبْدُالرَّزَّاقِ ، وَفِيهِ انْقِطَاعٌ ، وَوَصَلَهُ الْبَيْهَقِيُّ مِنْ طَرِيقٍ أَبِي حَنِيفَةَ .

942. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh ﷺ said, "He who hires a person should inform him of his pay." Related by 'Abdur-Râziq but with a disconnected chain of narrators.

# بَسابُ إِحْيَساءِ الْمَسوَاتِ

# Chapter XVI: Cultivation of a Barren Land (making it fertile)

9 ٤٣ \_ عَنْ عُرْوَةً عَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ عَمَّرَ أَرْضًا لَيْسَتُ لأَحَدٍ فَهُوَ أَحَقُّ بِهَا» ، قَالَ عُرْوَةُ : «وَقَضَى بِهِ عُمَرُ فِي خِلاَفَتِهِ». رَوَاهُ الْبُحَارِيُّ ،

943. 'Urwah narrated on the authority of 'Â'ishah (RAA) that 'Allâh's Messenger ﷺ said, "He who cultivates land that does not belong to anybody has more right to it than anybody

else (i.e. to own it)." 'Urwah said, "'Umar gave the same verdict during his Caliphate. Related by Al-Bukhârî.

9 ٤٤ ـــ وَعَـــنْ سَعِيد بْنِ زَيْد - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَحْيَا أَرْضًا مَيُّتَةً فَهِيَ لَهُ». رَوَاهُ الثَّلاَئَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَقَالَ : رُوِيَ مُرْسَــلاً . وَهُوَ كَمَا قَالَ ، وَاحْتُلِفَ فِي صَحَابِيِّهِ ، فَقِيلَ : جَابِرٌ ، وَقِيلَ : عَائِشَةُ ، وَقِيلَ : عَائِشَةُ ، وَقِيلَ : عَائِشَةُ ، وَقِيلَ : عَائِشَةُ ، وَقِيلَ عَمْرَ ، وَالرَّاحِحُ الأُوَّلُ .

944. Sa'îd bin Zaid (RAA) narrated that the Messenger of Allâh said, "He who cultivates a barren land (makes it fertile), it belongs to him." Related by the three Imâms. At-Tirmidhî graded it as <u>H</u>asan

٩٤٥ \_ وَعَنِ ابْنِ عَبَّاسٍ أَنَّ الصَّعْبَ بْنَ جَنَّامَةَ اللَّيْتِيِّ أَخْبَرَهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ حِمَى إِلاَّ لِلَّهِ وَلِرَسُولِهِ». رَوَاهُ الْبُخَارِيُّ .

945. Ibn 'Abbâs (RAA) narrated that as-Sa'b bin Jath-thâmah al-Laithî told him that the Prophet ﷺ said, "No <u>H</u>imâ<sup>289</sup> except for Allâh and His Messenger ﷺ." Related by Al-Bukhârî.

٩٤٦ ــ وَعَــنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ ضَرَرَ وَلاَ ضرَارَ» رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ .

946. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

<sup>289-</sup> A <u>Himâ</u> is an area in which grazing is only restricted —unjustly- to a certain person who prohibited others from entering it or letting their animals graze in it. They used to practice this in <u>Jâhiliyah</u> by letting a dog bark on a high land, and as far as his barking is heard, is considered a <u>Himâ</u> for this person. The Messenger of Allâh prohibited this and only allowed it for the Imâm or the ruler of the Muslims, who can make an area of land as <u>Himâ</u> for a purpose, which he considers to be beneficent for the Muslims such as making it a <u>Himâ</u> for the grazing of the camels of <u>Zahâh</u>. This <u>Hadîth</u> prohibits taking a <u>Himâ</u> by anybody except as that which the Messenger of Allâh took as <u>Himâ</u> i.e. it is only the right of the Imâm or ruler of the Muslims. Umar bin al-Khattâb (RAA) made places called ar-Rabadhâ and ash-Sharaf <u>Himâ</u> for grazing the animals of <u>Zahâh</u>.

said,"(One may) neither initiate harm(to himself or towards others) nor reciprocate (their actions) by harming (them)." Related by Ahmad and Ibn Mâjah.

947. Mâlik transmitted a similar tradition on the authority of Abû Sa´îd.

٩٤٨ ـــ وَعَـــنْ سَمُرَةَ بْنِ جُنْدَبِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَـــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَحَاطَ حَائِطًا عَلَى أَرْضٍ فِهِيَ لَهُ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ .

948. Samurah bin Jundub(RAA) narrated that the Messenger of Allâh said, "Whoever surrounds a barren land with a wall, it belongs to him." Related by Abû Dawûd. Ibn al-Gârûd graded it as <u>Sahîh</u>.

٩٤٩ ـــ وَعَنْ عَبْدَاللَّهِ بْنِ مُغَفَّلٍ أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَفَرَ بِئرًا فَلَهُ أَرْبَعُونَ ذِرَاعًا عَطَنَا لِمَاشِيَتِهِ». رَوَاهُ ابْنُ مَاحَهُ بِإِسْنَادٍ ضَعِيفٍ .

949. Abdullâh bin Mughaffal (RAA) narrated that the Messenger of Allâh said, "Whoever digs a well (in a barren land which does not belong to anybody) he is entitled to get forty cubits (a cubit is 0.58 m in Egypt) of this land as a resting place for his cattle near the water." Related by Ibn Mâjah with a weak chain of narrators.

٩٥٠ ـــ وَعَـــنْ عَلْقَمَــةَ بْنِ وَائِلِ عَنْ أَبِيهِ : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقْطَعَهُ أَرْضًا بِحَضْرَمَوْتَ». رَوَاهُ أَبُو دَاوُدَ ، وَالثِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

950. 'Alqamah bin Wâ'il narrated on the authority of his father that the Messenger of Allâh assigned him a piece of land in Hadramût. Related by Abû Dawûd and At-Tirmidhî.

901 ـــ وَعُنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقْطَعَ الزُّبَــيْرَ حُضْرَ فَرَسِهِ ، فَقَالَ : «أَعْطُوهُ حَيْثُ بَلَغَ السَّوْطِهِ ، فَقَالَ : «أَعْطُوهُ حَيْثُ بَلَغَ السَّوْطُ». رَوَاهُ أَبُو دَاوُدَ ، وَفِيهِ ضَعْفٌ .

951. Ibn 'Umar (RAA) narrated that the Messenger of Allâh assigned Az-Zubair the size of land his horse could cover at a run. So he made his horse run and when it stopped he threw down his whip. The Messenger of Allâh said, "Give him a piece of land up to the point where his whip has reached." Related by Abû Dawûd but he rated it as weak.

٩٥٢ ـــ وَعَنْ رَجُلٍ مِنَ الصَّحَابَة - رَضِيَ اللَّهُ عَنْهُ - قَالَ : غَزَوْتُ مَعَ النَّبِيِّ صَلَّى اللَّهِ عَنْهُ - قَالَ : غَزَوْتُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَسَمِعْتُهُ يَقُولُ : «النَّاسُ شُرَكَاءُ فِي ثَلاَثَةٍ : فِي الْكَالِإِ ، وَالْمَاءِ ، وَالنَّارِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرَجَالُهُ ثِقَاتٌ .

952. A man from the Companions of the Prophet ﷺ said, 'I went on an expedition with the Prophet ﷺ, and I heard him say, "People are partners in three (things): herbage, water and fire." Related by Ahmad and Abû Dawûd with a reliable chain of narrators.

# بَسابُ الْسوقْسِفِ

### Chapter XVII: Waqf (Endowment)

٩٥٣ ــ عَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَالَ : «إِذَا مَاتَ ابْنُ آدَمَ الْقَطَعَ عَنْهُ عَمَلُهُ إِلاَّ مِنْ ثَلاَثٍ : صَدَقَةٍ حَارِيَةٍ ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ ، أَوْ وَلَدِ صَالِحٍ يَدْعُو لَهُ». رَوَاهُ مُسْلِمٌ .

953. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When a person dies, (the reward of) his deeds stops except for three: "A perpetual <u>Sadaqah</u> (<u>Sadaqah</u> Jâriyah), knowledge from which benefit is (continuously) gained, or a pious child who is invoking Allâh for him." Related by Muslim. ٩٥٤ — وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : أَصَابَ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْمِرُهُ فِيهَا ، فَقَالَ : يَا عَــنْهُ - أَرْضًا بِخَيْبَرَ لَمْ أُصِبْ مَالاً قَطُ ، هُوَ أَنْفَسُ عِنْدي مِنْهُ . وَسُــولَ اللَّه ، إنِّي أَصَبْتُ أَرْضًا بِخَيْبَرَ لَمْ أُصِبْ مَالاً قَطُ ، هُو أَنْفَسُ عِنْدي مِنْهُ . قَــالَ : فَتَصَدَّقَ بِهَا عُمَرُ أَلَّهُ لاَ قَــالَ : فَتَصَدَّقَ بِهَا عُمَرُ أَلَّهُ لاَ يَسِبَاعُ أَصْلُهَا ، وَلاَ يُومِثُ ، فَتَصَدَّقَ بِهَا فِي الْفُقِرَاءِ ، وَفِي الْقُرْبَى ، وَسِبَاعُ أَصْلُهَا ، وَلاَ يُومِثُ ، فَتَصَدَّقَ بِهَا فِي الْفُقِرَاءِ ، وَفِي الْقُرْبَى ، وَلاَ يُوهِبُ ، فَتَصَدَّقَ بِهَا فِي الْفُقِرَاءِ ، وَفِي الْقُرْبَى ، وَلاَ يُوهِبُ ، فَتَصَدَّقَ بِهَا فِي الْفُقِرَاءِ ، وَفِي الْقُرْبَى ، وَلِي السَّبِيلِ ، وَالضَّيْفَ ، لاَ حُنَاحَ عَلَى مَنْ وَلِيَهَا وَسُلِهُ اللَّهُ ، وَابْنِ السَّبِيلِ ، وَالضَّيْفَ ، لاَ حُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَــالَّكُ لَا مَــنْهَا بِالْمَعْــرُوفِ ، وَيُطْعِمَ صَديقًا ، غَيْرَ مُتَمَوِّلٍ مَالاً . مُتَفَقَ عَلَيْهِ ، وَاللَّهُ لُهُ لَمُسْلَم .

وَفِي رِوَايَةٍ لِلْبُحَارِيِّ : «تَصَدَّقَ بِأَصْلِهَا ؛ لاَ يُبَاعُ وَلاَ يُوْهَبُ ، وَلَكِنْ يُنْفِقُ ثَمَرُهُ».

954. Ibn 'Umar (RAA) narrated, 'Umar got some land in Khaibar and he went to the Prophet it to consult with him about it. He said, 'O Messenger of Allâh! I got some land in Khaibar more valuable and precious to me than any other property I ever had.'

The Messenger of Allâh said to him, "If you wish you can give the land as endowment (waqf) and give its fruit in charity." So, 'Umar gave it in charity as an endowment (waqf) on the condition that the land would not be sold, inherited or given away as a gift. Its yield would be given in charity to the poor, relatives, for the emancipation of slaves, for the Cause of Allâh (i.e. Jihâd), to travelers and guests; and that there would be no harm if the guardian of the endowment ate from it according to his need but with moderation, and to give a friend food to eat provided he is not storing it (the fruit) for the future (i.e. he should not own any of its benefits).' Agreed upon and the wording is from Muslim.

A version by al-Bukhârî has: 'He gave it as <u>Sadaqah</u> that must not be sold (as it is not permitted to sell the *waqf*) or gifted but its yield must be spent (as <u>Sadaqah</u>)

٩٥٥ \_ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى عَنْهُ - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى الصَّدَقَةِ». الْحَدِيثَ . وَفِيهِ : «فَأَمَّا خَالِدٌ فَقَدْ اَحْتَبَسَ أَذْرَاعَهُ وَأَعْتَادَهُ فِي سَبِيلَ اللَّه». مُتَّفَقٌ عَلَيْه .

955. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh

sent 'Umar (RAA) to collect Zakâh...."As for Khâlid he has retained his coats of mail and weapons (as endowment) to use them in Allâh's Cause." Agreed Upon.

# بَـــابُ الْهِبَـــةِ، وَالْعُمْـــرَى، وَالرُّقْبَـــى Chapter XVIII: Gifts, Umrâ<sup>290</sup> (Life-Tenancy) and Ruqbâ

٩٥٦ \_ عَسنِ السَّنُعْمَانِ بُنِ بَشِيرِ أَنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : إِنِّسِي نَحَلْسَتُ ابْنِي هَذَا ؟» فَقَالَ : لا . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكُلُّ وَلَدكَ نَحَلْتُهُ مِثْلَ هَذَا ؟» فَقَالَ : لا . فَقَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «فَأَرْجِعَهُ» . وَفِي لَفْظ : «فَانْظَلَقَ أَبِي إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِيُشْهِدَةُ عَلَى مَا اللَّهُ عَلَيْهِ وَسَلَّمَ لِيُشْهِدَةُ عَلَى مَا اللَّهُ عَلَيْهِ وَسَلَّمَ اللَّهُ عَلَيْهِ وَسَلَّمَ اللَّهُ وَاعْدَلُوا بَيْنَ أَوْلاَدكُمْ » ، فَرَجَعَ أَبِي فَرَدَّ تِلْكَ الصَّدَقَة . مُتَّفَقُ عَلَيْه . (وَفِي رَوَايَة لِمُسْلَمٍ قَالَ : «فَالَ : «فَلَا غَبْرِي» ، ثُمَّ قَالَ : «أَيَسُرُكَ أَنْ يَكُونُوا وَفِي رَوَايَة لِمُسْلَمٍ قَالَ : «فَالَ : «فَلاَ إِذَنْ».

956. An-Nu'mân bin Al-Bashîr narrated that his father took him to the Prophet sand said, I have given this son of mine a slave who belonged to me.' The Messenger of Allâh saked him, "Have you given all your sons the same (gift)?" He replied, 'No.' The Prophet said, "Then take back your gift."

In another version, 'My father hurried to the Prophet \$\mathbb{x}\$ to ask him to be witness on my gift. The Prophet \$\mathbb{x}\$ asked him, "Have

<sup>290- &#</sup>x27;Umrâ means that a man gives another man a house and says to him, 'I give it to you to live in as long as you live,' and is considered a gift. Ruqbâ literally means watching for, it means that a man gives a house to another man and says to him. 'If I die first, then it is yours, and if you die first it is mine.' So it is called Ruqbâ because each of them is watching for the death of the other. Therefore it is disliked as each of the two men hope for the death of the other, but Islâm stopped this practice as it considers Ruqbâ a permanent gift that will be inherited by the heirs of the one it is given to.

you done the same with all your children (i.e. have you given each of them the same gift?) He replied, 'No.' The Prophet said, "Fear Allâh and be just with your children.' My father then returned and took back his gift.' Agreed upon.

In a narration by Muslim, the Messenger of Allâh said, "Let someone else be witness to this (gift)." He then said to him, "Would you like them to treat you well equally?" Nu'mân said, 'Yes.' The Prophet steen said, "Don't do it then."

٩٥٧ \_ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَائِدُ فِي هَبِتِهِ كَالْكَلْبِ يَقِيءُ ، ثُمَّ يَعُودُ فِي قَيْهِ». مُتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَة لِلْبُحَارِيُّ : «لَيْسَ لَنَا مَثَلُ السَّوْءُ ، الَّذِي يَعُودُ فِي هَبِتِهِ كَالْكَلْبِ يَقِيءُ ثُمَّ يَرْجِعُ فِي قُيْمِهِ».

957. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "The one who seeks to take back his gift (which he has already given) is like a dog which swallows its vomit." Agreed upon.

In a version by Al-Bukhârî, "A bad example is not considered one of us. He who takes back his gift is like a dog that swallows its vomit."

٩٥٨ ـــ وَعَـــنِ ابْـــنِ عُمَرَ وَابْنِ عَبَّاسٍ ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالاَ : «لاَ يَحـــلُّ لِرَجُلٍ مُسْلِمٍ أَنْ يُعْطِيَ الْعَطِيَّةَ ثُمَّ يَرْجِعَ فِيهَا ، إِلاَّ الْوَالِدُ فِيمَا يُعْطِي وَلَدَهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

958. Ibn 'Umar and Ibn 'Abbâs narrated that the Messenger of Allâh said, "It is not lawful for a Muslim to give a gift to someone and then take it back, except for a father concerning what he gives his son (he can then take it back)." Related by the four Imâms and Ahmad. At-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as Sahîh.

<sup>291-</sup> This hadith is proof that taking back a gift, which has already been given is absolutely prohibited except for the gift which is given by the parent to his / her child.

٩٥٩ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْبُلُ الْهِدِيَّةَ ، وَيُثِيبُ عَلَيْهَا». رَوَاهُ البُخَارِيُّ .

959. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ used to accept presents and used to also give presents in return.' Related by Al-Bukhârî.

٩٦٠ \_ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : وَهَبَ رَجُلُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهَا ، فَقَالَ : «رَضِيْتَ»؟ قَالَ : لاَ . فَرَادَهُ ، فَقَالَ : «رَضِيْتَ»؟ قَالَ : لاَ . فَرَادَهُ ، فَقَالَ : «رَضِيْتَ» ؟ قَالَ : نَعَمْ . فَقَالَ : «رَضِيتَ» ؟ قَالَ : نَعَمْ . رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

960. Ibn 'Abbâs (RAA) narrated, 'A man gave a she-camel as a present to the Messenger of Allâh ﷺ, so he gave him something in return for it and asked him, "Are you satisfied?" The man replied, 'No.' The Prophet ﷺ then gave him more and asked again, "Are you satisfied?" The man replied, 'No.' Again the Prophet ﷺ gave him more and asked him, "Are you satisfied?" The man replied, 'Yes.' Related by Ahmad. Ibn Hibbân graded it as Sahîh.

٩٦١ ـــ وَعَـــنْ حَابِـــرِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعُمْرَى لَمَنْ وُهُبَتْ لَهُ». مُتَّفَقٌ عَلَيْه .

وَلِمُسْلِمٍ : «أَمْسَكُوا عَلَيْكُمْ أَمْوَالَكُمْ وَلاَ تُفْسِدُوهَا ، فَإِنَّهُ مَنْ أَعْمَرَ عُمْرَى فَهِيَ للَّذي أَعْمَرَهَا ، حَيًّا وَمَيْتًا وَلعَقبه».

وَفِي لَفْظ ؛ ﴿إِنَّمَا الْعُمْرَى الَّتِيَ أَجَازَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَقُولَ ؛ هِيَ لَكَ وَلِعَقِبِكَ ، فَأَمَّا إِذَا قَالَ : هِيَ لَكَ مَا عِشْتَ فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا». وَلَأْبِي دَاوُدَ وَالنَّسَائِيِّ : «لاَ تُرْقِبُوا ، وَلاَ تُعْمِرُوا ، فَمَنْ أُرْقِبَ شَيْئًا أَوْ أُغْمِرَ شِيْئًا ، فَهُوَ لُورَئَتِه».

961. Jâbir (RAA) narrated that the Messenger of Allâh said, 'al-'Umrâ belongs to the one to whom it is given." Agreed upon.

Muslim transmitted, "Keep your property for yourselves and do not waste them away, for whoever gives 'Umrâ (lifetenancy)to anyone, it belongs to the one to whom it is given both during his life, after his death and then to his descendants."

In another version, "The 'Umrâ, which the Messenger of Allâh allowed (to be given to his descendants after his death) is the one in which the one (who is giving away the property) says: 'It is for you and for your descendants.' But if he says, 'It is for you as long as you live.' It is returned to its original owner.

In a version by Abû Dawûd and An-Nasâ'î, 'Do not give property to others by way of *Ruqbâ* and 'Umrâ for if anyone is given either of them, the property goes to his heirs.'

977 ـــ وَعَـــنْ عُمَـــرَ قَالَ : حَمَلْتُ عَلَى فَرَسِ فِي سَبِيلِ اللّهِ ، فَأَضَاعَهُ صَاحِبُهُ ، فَظَنَنْتُ أَنَّهُ بَائِعُهُ بِرُخْصِ ، فَسَأَلْتُ رَسُولَ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ فَقَالَ : «لاَ تَبْتَعْهُ ، وَإِنْ أَعْطَاكَةُ بِدِرْهَمِ». الْحَديثَ . مُتَّفَقٌ عَلَيْهِ .

962. Umar (RAA) narrated, 'I gave a horse —in charity- to a man to use in Jihâd in the Cause of Allâh. The man did not look after it properly, and I thought he would sell it for a cheap price. I asked the Messenger of Allâh about this (i.e. buying it myself).' The Prophet said to him, "You should not buy it, even if he gave it to you for a Dirham (he should not take it back as he gave it in charity and it is considered as a gift)." Agreed upon.

٩٦٣ ــ وَعَنْ أَبِي هُرَيْرَةَ ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «تَهَادُوا تَحَاتُوا». رَوَاهُ الْبُخَارِيُّ فِي الأَدَبِ الْمُفْرَدِ ، وَأَنُو يَعْلَى بِإِسْنَادٍ حَسَنٍ .

963. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Exchange presents between yourselves as this creates love between you." Related by Al-Bukhârî in his book 'al-Adab al-Mufrad.' Abû Ya'lâ with a good chain of narrators.

٩٦٤ ـــ وَعَـــنْ أَنَــس – رَضِـــيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَهَادُوا ؛ فَإِنَّ الْهَدِيَّةَ تَسُلُّ السَّحِيمَةَ». رَوَاهُ الْبَزَّارُ بِإِسْنَادِ ضَعِيفٍ .

964. Anas (RAA) narrated that the Messenger of Allâh 🎉 said

"Exchange presents between yourselves as this extra-cts grudge gently(from your hearts)." Related by Al-Bazzâr with a weak chain of narrators.

٩٦٥ \_ وَعَــنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا نِسَاءَ الْمُسْلِمَاتِ : لاَ تُحَقَّرَنَّ حَارَةٌ لِحَارَتِهَا ، وَلَوْ فِرْسِنَ شَاةٍ». مُتَّفَقٌ عَلَيْهِ .

965. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "O Muslim women! None of you should look down upon the present sent by her (female) neighbor even if it were the trotters of a sheep." Agreed upon.

977 — وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « مَـــنْ وَهَـــبَ هِبَةً فَهُوَ أَحَقُّ بِهَا مَا لَمْ يُثَبْ عَلَيْهَا » . رَوَاهُ الْحَاكِمُ وَصَحَّحَهُ ، وَالْمَحْفُوظُ منْ رِوَايَةِ ابْنِ عُمَرَ عَنْ عُمَرَ قَوْلُهُ .

966. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "If anyone gives away a gift he is the one who has most right to it as long as he was not given anything in return." Related by al- $\underline{H}$ âkim who graded it as  $\underline{Sah}$ îh.

# بَسابُ اللُّقَطَسة

#### Chapter XIX: Luqatah (Lost and found items)

977 ـ عَــنْ أَنَسٍ قَالَ : مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِتَمْرَةٍ فِي الطَّرِيقِ فَقَالَ : «لَوْلاَ أَنِّي أَخَافُ أَنْ تَكُونَ مِنَ الصَّدَقَةِ لأَكَلْتُهَا». مُتَّفَقٌ عَلَيْهِ .

967. Anas (RAA) narrated that the Messenger of Allâh sapassed by a fallen date in the street and said, "Were it not for my doubt that this might have been given in charity, I would have eaten it." 292 Agreed upon.

<sup>292-</sup> It is well known that the Messenger of Allâh ﷺ does not eat out of charity but would only eat what is given to him as a present.

٩٦٨ - وَعَسَنْ رَيْسَد بْنِ خَالِد الْجُهَنِيِّ قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَأَلَهُ عَنِ اللَّقَطَةِ ، فَقَالَ : «اعْرِفَ عِفَاصَهَا وَوِكَاءَهَا ، ثُمَّ عَرِّفْهَا سَنَةً ، فَإِنْ جَاءَ صَاحِبُهَا وَإِلاَّ فَشَأْنُكَ بِهَا» ، قَالَ : فَضَالَّهُ الْغَثَمِ ؟ ، قَالَ : «هِي لَكَ أَوْ لأَحيكَ أَوْ لِلْذَّنْبَ» ، قَالَ : فَضَالَّةُ الإِبلِ ؟ قَالَ : «مَا لَكَ وَلَهَا ؟ مَعَهَا سِقَاؤُهَا وَحِذَاؤُهَا ، تَودُ الْمَاءَ ، وَتَأْكُلُ الشَّجَرَ ، حَتَّى يَلْقَاهَا رَبُّهَا». مُتَّفَقٌ عَلَيْهِ .

968. Zaid bin Khâlid al-Juhanî narrated, 'A man came to the Prophet and asked him about al-Luqatah (lost items found on the ground and picked up by someone). The Prophet said, "determine its container, and the string with which it is tied, and then announce publicly for a year that it has been found. If the owner shows up, give it to him, otherwise use it as you like (as it has entered his possession). The man again asked, 'What about a lost sheep?' The Messenger of Allâh said, "It is for you, your brother or a wolf." The man again said, 'What about a lost camel?" The Messenger of Allâh said, "Why should you take it as it has got its water container (its stomach), and its hooves and it can reach the places of water and can eat from the trees until its owner finds it?" Agreed upon.

٩٦٩ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ آوَى ضَالَّةً فَهُوَ ضَالٌ ، مَا لَمْ يُعَرِّفْهَا». رَوَاهُ مُسْلِمٌ .

969. Zaid narrated that the Messenger of Allâh said, "He who keeps a stray property (*luqatah*), he himself has gone astray, unless he announces that he found it." Related by Muslim.

٩٧٠ ــ وَعَـــنْ عِيَاضِ بْنِ حِمَارٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَـلَّى اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَـلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : «مَنْ وَجَدَ لُقَطَةٌ فَلْيُشْهِد ذَوَي عَدْل ، وَلْيَحْفَظْ عِفَاصَهَا وَوَكَاءَهَــا ، ثُمَّ لاَ يَكْتُمْ ، وَلاَ يُغَيِّبُ ، فَإِنْ جَاءَ رَبُّهَا فَهُوَ أَحَقُّ بِهَا ، وَإِلاَّ قَهُو مَالُ وَوَكَاءَهَـا ، ثُمَّ لاَ يَكْتُمْ ، وَلاَ يُغَيِّبُ ، فَإِنْ جَاءَ رَبُّهَا فَهُو َ أَحَقُّ بِهَا ، وَإِلاَّ قَهُو مَالُ اللَّهِ مِنْ يَشَاءُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلاَّ التَّرْمِذِيَّ ، وَصَحَحَـةُ ابْنُ خُزَيْمَةً ، وَابْنُ حَبَانَ .

970. Tyâd bin Himâr (RAA) narrated that the Messenger of Allâh said, "He who finds a luqatah should call two trusty witnesses (to show them what he found) determine its container, and the string with which it is tied, and he should not conceal it or cover it up. If its owner shows up he is the one who is entitled to take it back, otherwise it is the property of Allâh, which He gives to whom He wishes." Related by Ahmad and the four Imâms except for At-Tirmidhî. Ibn Khuzaimah, Ibn al-Gârûd and Ibn Hibbân graded it as Sahîh.

971. 'Abdur Rahmân bin 'Uthmân At-Taimî narrated that the Messenger of Allâh prohibited picking up the *luqatah* of the pilgrims.' Related by Muslim.

٩٧٢ ـــ وَعَـــنِ الْمَقْدَامِ بْنِ مَعْدِ يَكْرِبَ - رَضِيَ اللّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «أَلاَ لاَ يَحِلُّ ذُو نَابٍ مِنَ السَّبَاعِ ، وَلاَ الْحِمَارُ الأَهْلِيُّ ، وَلاَ اللَّقَطَةُ مِنْ مَالٍ مُعَاهِدِ إِلاَّ أَنْ يَسْتَغْنِي عَنْهَا». ورَوَاهُ أَبُو دَاوُدَ .

972. Al-Miqdâm bin Ma'diakrib (RAA) narrated that the Messenger of Allâh said, "It is not lawful to eat predatory wild animals that prey with fangs, or a domestic ass, and it is not lawful to keep the *luqatah* of one who has been given a covenant (by Muslims) unless he disposes of it." Related by Abû Dawûd.

## بَــابُ الْفَــرَائِــضِ Chapter XX: Inheritance

٩٧٣ ــ عَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّه اللَّــهُ عَلَــيْهِ وَسَلَّمَ : «أَلُّحِقُوا الْفَرَائِضَ بِأَهْلِهَا ، فَمَا بَقِيَ فَهُوَ لأُوْلَى رَجُلٍ ذَكَرٍ». مُتَّفَقٌ عَلَيْه .

973. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

said, "Give the shares ordained (by Allâh) to their rightful heirs. Whatever is left after that goes to the nearest male heir (to the deceased)." Agreed upon.

٩٧٤ ـــ وَعَـــنْ أُسَامَةَ بْنِ زَيْد - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَرِثُ الْمُسْلِمُ الْكَافِرَ ، وَلاَ يَرِثُ الْكَافِرُ الْمُسْلِمَ». مُتَّفَقٌ عَلَيْهِ .

974. Usâmah bin Zaid (RAA) narrated that the Messenger of Allâh said, "A Muslim is not to inherit a disbeliever and a disbeliever is not to inherit a Muslim." Agreed upon.

٩٧٥ وعَـــنِ ابْـــنِ مَسْـــعُود - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي بِنْت ، وَبِنْتِ ابْنِ ،
 وَأُخْـــت ، فَقَضَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِلإِبْنَةِ النِّصْفُ ، وَلإِبْنَةٍ الإِبْنِ السَّلْسُ
 - تَكْمِلَةً التَّلْثَيْنِ - وَمَا بَقِيَ فَلِلأُخْتِ . رَوَاهُ البُخَارِيُّ .

975. Ibn Mas'ûd (RAA) narrated concerning the inheritance of a daughter, a son's daughter (granddaughter) and a sister, surviving the deceased. The Prophet sordained that the daughter's share is one half, the son's daughter is one-sixth and whatever remains is the sister's." Related by Al-Bukhârî.

٩٧٦ ـــ وَعَـــنْ عَبْدَاللّهِ بْنِ عُمَرَ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّه عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهِ عَلَى . رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَالتّرْمِذِيُّ ، وَأَنْهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَالتّرْمِذِيُّ ، وَأَخْرَجَهُ الْحَاكِمُ بِلَفْظِ أَسَامَةَ ، وَرَوَى النّسَائِيُّ حَدِيثَ أَسَامَةَ بِهَذَا اللَّفْظِ .

976. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said,"The followers of two different religions may not inherit from each other." Related by Ahmad, the four Imâms and At-Tirmidhî.

9۷۷ ـــ وَعَـــنُ عِمْرَانَ بُنِ حُصَيْنٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : حَاءَ رَجُلُّ إِلَى النَّ النَّـــبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنَّ ابْنِي مَاتَ ، فَمَا لِي مِنْ مِيْرَاثِهِ ؟ فَقَالَ : «لَكَ السُّنُسُ» ، فَلَمَّا وَلَّى دَعَاهُ فَقَالَ : «لَكَ سُنُسٌ آخَرٌ». فَلَمَّا وَلَّى دَعَاهُ فَقَالَ : «إِنَّ السَّلُسَ الآخَرَ طَعْمَةٌ» . رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ ـــ وَهُوَ مِنْ رَوَايَة الْحَسَنِ الْبَصْرِيِّ عَنْ عُمْرَانَ ، وَقِيلَ : إِنَّهُ لَمْ يَسْمَعْ مِنْهُ .

977. Imrân bin <u>Husain</u> (RAA) narrated, 'A man came to the Prophet said, 'My son's son has died. What is my share from his inheritance?' The Messenger of Allâh said, "You get one sixth." When the man turned away, the Messenger of Allâh called him and said, "You are entitled to another sixth." 293

When the man turned away, the Messenger of Allâh & called him and said, "The other sixth is an extra allowance (to what is ordained for you)." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as <u>Sahîh</u>.

٩٧٨ \_ وَعَنِ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ جَعَـــلَ لِلْجَـــدَّةِ السُّنُسَ إِذَا لَمْ يَكُنْ دُونَهَا أُمِّ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْجَارُود ، وَقَوَّاهُ ابْنُ عديٍّ .

978. Ibn Buraidah (RAA) narrated on the authority of his father (RAA) that the Messenger of Allâh appointed a sixth to the grandmother if no mother was left to inherit with her."Related by Abû Dawûd and An-Nasâ'î. Ibn Khuzaimah and Ibn al-Gârûd graded it as <u>Sahîh</u>

<sup>293-</sup> The deceased in this case left two daughters and his father surviving him. The two daughters are entitled to 2/3 of the estate. The remaining third will be given to the grandfather, but his prescribed share is only one sixth and the other sixth will be given back to him as there are no other heirs. In this case the grandfather is considered to be 'Asabah, which refers to the relatives of the deceased on his father's side. They are entitled to take the rest of the estate after the fixed (prescribed) shares are distributed, which applies to this case. The Messenger of Allâh \* wanted to teach the man that his prescribed share is only one sixth and not one third. That is why he gave him one sixth when he asked about his inheritance, and then called him again and told him that this other sixth is an extra amount to his share as it is given back to him for being 'Asabah in the absence of any other heirs.

٩٧٩ ـــ وَعَنِ الْمَقْدَامِ بْنِ مَعْد يَكْرِبَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ». أَخْرَجَهُ أَخْمَدُ ، وَالأَرْبَعَةُ سَوَى التَّرْمِذِيُّ ، وَحَسَّنَهُ أَبُو زَرَعَةَ الرَّازِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَابْنُ حَبَّانَ .

979. Al-Miqdâm bin Ma´diakrib (RAA) narrated that the Messenger of Allâh ﷺ said, "The maternal uncle is the inheritor of those who have no (standard) heirs." Related by Ahmad and the four Imâms except for At-Tirmidhî. Abû Zar´ah ar-Râzî graded it as <u>H</u>asan, but al-<u>H</u>âkim and Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>.

٩٨٠ \_ وَعَـــنْ أَبِـــي أَمَامَــة بْنِ سَهْلِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَتَبَ عُمَرُ إِلَى أَبِــي عُبَــيْدَة - رَضِـــيَ اللَّهُ عَنْهُما - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لاَ مَوْلَى لَهُ ، وَالْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ سوَى أَبِي دَاوُدَ ، وَحَسَّنَهُ التِّرْمذِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

980. Abû Umâmah bin Sahl (RAA) narrated, "Umar wrote to Abû "Ubaidah (RAA) that the Messenger of Allâh said, "Allâh and His Messenger are the guardians of the one who does not have a guardian; and a maternal uncle inherits from the one who does not have any (standard) heirs." Related by Ahmad and the four Imâms except for Abû Dawûd. At-Tirmidhî graded it as <u>Hasan</u> and Ibn <u>Hibbân graded it as Sahîh</u>.

٩٨١ ـــ وَعَـــنْ جَابِرِ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا اسْتَهَلَّ الْمَوْلُودُ وَرِّثَ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

981. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "As soon as the infant cries<sup>295</sup> (at the moment of birth) it is entitled to inherit." Related by Abû Dawûd. Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>.

<sup>294-</sup> In this case the deceased has no Asabah (relatives on his father's side) and no other heirs who are entitled to obligatory shares.

<sup>295-</sup> When the heir of someone who died is expecting a child, the estate is not to be divided until the child is born.

٩٨٢ ـــ وَعَـــنِ عَمْرِو بْنِ شُعَيْب ، عَنْ أَبِيهِ ، عَنْ جَدَّهِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ صَلَّى اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ : «لَيْسَ لِلْقَاتِلِ مِنَ الْمِيرَاثِ شَيْءٌ». رَوَاهُ النَّسَائِيُّ ، وَالدَّارَقُطْنِيُّ ، وَالصَّوَابُ وَقْفَهُ عَلَى عَمْرِو .

982. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather that the Messenger of Allâh ﷺ said, "A killer does not receive (a share of the) inheritance (of the one he killed)." Related by An-Nasâ'î and Ad-Dâraqutnî.

٩٨٣ ـــ وَعَـــنْ عُمَـــرَ بْنِ الْخَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : « مَا أَحْرَزَ الْوَالِدُ أَوِ الْوَلَدُ ، فَهُوَ لِعَصَبَتِهِ مَنْ كَانَ » . رَوَاهُ أَبُو دَاوُدَ وَالنِّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ الْمَديني ، وَابْنُ عَبْدالْبَرِّ .

983. Umar bin al-Khattâb (RAA) narrated, 'I heard the Messenger of Allâh say, "Whatever rights gained by the father or child (meaning al-Walâ 296) are to be transferred to his 'Asabah (relatives on his father's side) regardless of their degree of kinship 297 (meaning that loyalty is not inherited and does not follow the rules of inheritance). "Related by Abû Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn al-Madînî and Ibn 'Abdul Barr graded it as Sahîh.

٩٨٤ ـــ وَعَـــنْ عَبْدِاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّه صَـــلَّى اللَّـــهُ عَلَـــيْهِ وَسَلَّمَ : «الْوَلاَءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ ، لاَ يُبَاعُ وَلاَ يُوهَبُ».

<sup>296-</sup> Walâ' refers to the right of inheriting the property of a manumitted slave after his death. The one who has the right to inherit him is the one who manumitted him. In Jâhiliyah; before Islâm, they used to sell this Walâ' or give it as a gift but Islâm prohibited this.

<sup>297-</sup> Most scholars are of the opinion that Walā' is not part of the inheritance of the deceased. For example if a man manumitted a slave, and he has two sons, and one of his sons had a child and then died. If the manumitter dies, the Walā' of the manumitted slave (his inheritance) goes to his son alone and is not to be shared between the son and the grandson as would be in the case of inheritance. This means that Walā' is the right of the closest 'Asabah of the deceased and not to be distributed as part of his inheritance.

رَوَاهُ الْحُــاكِمُ مِــنْ طَــرِيقِ الشَّافِعِيِّ عَنْ مُحَمَّدِ بْنِ الْحُسَنِ ، عَنْ أَبِي يُوسُفَ ، وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَأَعَلَّهُ الْبَيْهَقِيُّ .

984. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "The Walâ' (of a manumitted slave) is considered as one's lineage, not to be sold or donated<sup>298</sup> (refer to hadîth no. 816)." Related by al-Hâkim through Ash-Shâfi'î on the authority of Muhammad bin Al-Hasan, on the authority of Abî Yûsuf. Ibn Hibbân graded it as Sahîh.

٩٨٥ ـــ وَعَـــنْ أَبِـــي قِلاَبَةَ ، عَنْ أَنَس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : ﴿ أَفْرَضُكُمْ زَيْدُ بْنُ ثَابِتٍ ﴾. أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ سِوَى أَبِي دَاوُدَ ، وَصَحَّحَهُ التَّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَأُعِلَّ بِالإِرْسَالِ .

985. Abû Qalâbah narrated on the authority of Anas (RAA) that the Messenger of Allâh said, "The one who is most knowledgeable of the laws of inheritance is Zaid bin Thâbit." Related by Ahmad and the four Imâms except Abû Dawûd. At-Tirmidhî, Ibn Hibbân and al-Hâkim graded it as Sahîh.

### بَسابُ الْوَصَسايَسا

#### Chapter XXI: Wills (Bequests)

٩٨٦ ــ عَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «مَـــا حَقُّ امْرِيءِ مُسْلِمٍ لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ ، يَبِيتُ لَيْلَتَيْنِ ، إِلاَّ وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ». مُتَّفَقٌ عَلَيْهِ .

986. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said,"It is not rightful for a Muslim, if he has anything to bequeath, that he sleeps two consecutive nights without having with him his written will." Agreed upon.

<sup>298-</sup> This hadîth again assures the fact that Walâ' is like the lineage of a person. The inheritance still goes to the one who paid the money to the slave and is not to be sold or donated as soon as the slave dies, as the link to the manumitter still holds.

٩٨٧ \_ وَعَنْ سَعْد بْنِ أَبِي وَقَاصٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ يَا رَسُولَ اللَّهِ ، أَنَا ذُو مَال ، وَلاَ يَرِئُنِي إِلاَّ ابْنَةٌ لِي وَاحِدَةٌ ، أَفَأَتَصَدَّقُ بِثُلُنَيْ مَالِي ؟ قَالَ : «لاَ». قُلْت : أَفَأَتَصَدَّقُ بِثُلُتُه ؟ قَالَ : «النَّلُثُ ، قُلْت : أَفَأَتَصَدَّقُ بِثُلُتُه ؟ قَالَ : «النَّلُثُ ، وَالنَّلُت تَ : أَفَأَتَصَدَّقُ بِثُلُتُه ؟ قَالَ : «النَّلُثُ ، وَالنَّلُت تُ خَيْرٌ مِنْ أَنْ تَذَرْهُمْ عَالَةً يَتَكَفَّفُونَ وَالنَّلُ اللهِ النَّاسَ». مُثَّفَقٌ عَلَيْه .

987. Sa'd bin Abî Waqqâş (RAA) narrated, 'I said, 'O Messenger of Allâh! I have a lot of money, and no heirs but my daughter. Shall I give (bequeath) two thirds of my wealth as charity?' He said, "No." I said, "Then half of it?' He replied, "No." I said, "Then one third of my wealth?' He replied, "Yes one third; and even one third is too much. Indeed, to leave your inheritors rich (after your death) is better than leaving them as a burden begging from people." Agreed upon.

٩٨٨ ــ وَعَـــنْ عَائِشَــةَ أَنَّ رَجُلاً أَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنَّ أُمِّي افْتُلِتَتْ نَفْسُهَا ، وَلَمْ تُوسِ ، وَأَظْنُهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ ، أَفَلَهَا أَجْرٌ إِنْ تَصَدَّقْتُ عَنْهَا ؟ فَالَ : «نَعَمْ». مُثَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

988. Â'ishah (RAA) narrated, "A man came to the Messenger of Allâh and said, 'O Messenger of Allâh! My mother died suddenly and did not write a will, and I believe that if she had been able to speak (now), she would have given it in charity. Would she be rewarded if I pay the charity on her behalf?" The Messenger of Allâh said, "Yes." Agreed upon and the wording is from Muslim.

٩٨٩ ــ وَعَنْ أَبِي أَمَامَةَ الْبَاهِلِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّه صَــلَى اللَّــهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقِّ حَقَّهُ ، فَلاَ وَصِيَّةَ لِـــوَارِث». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَحَسَّنَهُ أَحْمَدُ ، وَالتَّرْمِذِيُّ ، وَقَوَّاهُ ابْنُ خُزَيْمَةً ، وَابْنُ الْحَارُودِ .

989. Abû Umâmah al-Bâhilî (RAA) narrated, 'I heard the Messenger of Allâh say, "Allâh has given every one who is

entitled to a right (in inheritance) what is due to him, no will may be made to a (standard) heir." Related by Ahmad and the four Imâms except for An-Nasâ'î. Ahmad and at-Tirmidhî graded it as <u>Hasan</u>. Ibn Khuzaimah and Ibn al-Gârûd graded it as a strong <u>Hadîth</u>.

990. Ad-Dâraqutnî transmitted a similar narration on the authority of Ibn 'Abbâs (RAA) and added the following, "Unless the heirs agree to it (i.e. making a will for an heir)." Its chain of narrators is *Hasan*.

991. Mu'âdh bin Jabal (RAA) narrated that the Messenger of Allâh said, "Allâh gave you as a charity<sup>299</sup> a third of your property when you are about to die, as an addition to your good deeds." Related by Ad-Dâraqutnî.

992. Ahmad and al-Bazzâr transmitted it on the authority of Abû Ad-Dardâ'.

993. Ibn Mâjah transmitted the same narration on the authority of Abû Hurairah (RAA) and they are all weak traditions but may support each other, and Allâh knows best.

<sup>299.</sup> He gave you permission to make a will within the third of your property as charity, when you are about to die.

# بَسابُ الْسوَدِيسعَسةِ

### Chapter XXII: Wadî'ah (Trusts Deposited for Safekeeping)

٩٩٤ \_ عَــنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ حَدِّهِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَــلَّى اللَّهِ عَنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أُودِعَ وُدِيعَةٌ فَلَيْسَ عَلَيْهِ ضَمَانٌ». أَخْرَجَهُ ابْنُ مَاجَهُ ، وفي إِسْنَادِهِ ضَعْف ".

994. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather (RAA) that the Messenger of Allâh said, "If anyone is given an article as a trust, he does not have to pay for its loss or destruction (unless he misuses it)." Related by Ibn Mâjah with a weak chain of narrators.

# كِسَّابُ السُّكَاحِ

### Book VIII: Marriage

#### Chapter I

٩٩٥ ــ عَنْ عَبْدِاللّهِ بْنِ مَسْعُودِ - رَضِيَ اللّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ لَنَا رَسُولُ اللّه صَلّى اللّهُ عَلَيْهِ وَسَلّمَ : «يَا مَعْشَرَ الشّبَابِ ، مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةُ فَلْيَتَزَوَّجْ ، فإِنّهُ أَغَــضُ لِلْبَصَرِ ، وَأَحْصَنُ لِلْفَرْجِ ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ ، فَإِنّهُ لَهُ وِجَاءٌ».
مُتّفَق عَلَيْه .

995. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh said to us, "O Young people! Whoever can marry among you, should marry, for that will help him lower his gaze and protect his chastity. Whoever is not able to marry is recommended to fast and that will be his shield (as it diminishes his sexual energy)." Agreed upon.

٩٩٦ ــ وَعَــنْ أَنَسِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ ، وَقَالَ : «لَكِنِّي أَنَا أُصَلِّي ، وَأَنَامُ ، وَأَصُومُ ، وَأُفْطِرُ ، وَأَنْزَوَّجُ النِّسَاءَ ، فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي». مُتَّفَقٌ عَلَيْهِ .

996. Anas Ibn Mâlik (RAA) narrated that the Messenger of Allâh praised and exalted Allâh and said, "...Yet I pray (night prayer) and sleep, fast and break my fast, and I (also) marry women. Whoever does not follow my Sunnah is not from me (nor one of my followers)."300 Agreed upon.

<sup>300-</sup> The Messenger of Allâh & said this to the three men who asked about how he worshipped Allâh, and when they were told, they thought their own worship was insufficient and one of them decided to offer prayer throughout the night forever, the second said that he will fast throughout the year, and the third said he will never get married. The Messen-

٩٩٧ ـــ وَعَـــنْهُ قَالَ : كَانَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا بِالْبَاءَة ، وَيَنْهَى عَنِ التَّبَتُّلِ نَهْيًا شَدِيدًا ، وَيَقُولُ : «تَزَوَّجُوا الْوَدُودَ الْوَلُودَ ، فَإِنّي مُكَاثِرٌ بِكُمُ الأَنْبِيَاءَ يَوْمَ الْقَيَامَة». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

997. Anas bin Mâlik (RAA) narrated that the Messenger of Allâh ﷺ used to command (urge) us to get married and would very strictly prohibit us from remaining in celibacy and say, "Marry the woman who is child bearing and loving, for I shall boast over all the nations by your number on the Day of Resurrection." Related by Ahmad. Ibn Hibbân graded it as <u>Sahîh</u>.

٩٩٨ — وَلَــهُ شَـــاهِدٌ عِنْدَ أَبِي دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنِ حِبَّانَ ، مِنْ حَدِيثِ مَعْقِلِ بْنِ يَسَارٍ .

998. Abû Dawûd and An-Nasâ'î and Ibn Hibbân related a similar *Hadîth* on the authority of Ma'qil bin Yasâr.

٩٩٩ ــ وَعَــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قــالَ : «تُــنْكَحُ الْمَرْأَةُ لِأَرْبُعِ : لِمَالِهَا ، وَلِحَسَبِهَا ، وَلِحَمَالِهَا ، وَلِدِينِهَا ، فَاظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ». مُتَّفَقٌ عَلَيْهِ مَعَ بَقِيَّةِ السَّبْعَةِ .

999. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "A woman is married for four reasons: her property, lineage, beauty and her religion (meaning her piety). So, marry the religious one otherwise you will be a loser." Agreed upon along with the rest of the seven Imâms.

١٠٠٠ ــ وَعَنْهُ : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا رَفَّأُ إِنْسَانًا إِذَا تَزَوَّجَ قَالَ :
 «بَارَكَ اللَّهِ لَكَ ، وَبَارَكَ عَلَيْكَ ، وَحَمَعَ بَيْنَكُمَا فِي خَيْرٍ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ،
 وَصَحَّحَهُ التَّرْمَذِيُّ ، وَابْنُ خُزَيْمَةَ ، وَابْنُ حَبَّانَ .

1000. Abû Hurairah (RAA) narrated, When the Messenger of Allâh se congratulated a man on his marriage, he would say,

ger of Allâh ﷺ thereupon said to them, "By Allâh, I am the most fearful of Allâh of you and yet I pray....."

"May Allâh bless (both of you), and may He bestow His blessings upon you, and unite you together in goodness." Related by Ahmad and the four Imâms. At-Tirmidhî, Ibn Khuzaimah and Ibn Hibbân graded it as <u>Sah</u>îh.

١٠٠١ \_ وَعَــنْ عَــبْداللَّه بْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : عَلَّمَنَا رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَنْهُ - قَالَ : عَلَّمَنَا رَسُولُ اللَّهِ صَــلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ التَّشَهُدَ فِي الْحَاجَة : «إِنَّ الْحَمْدَ لِلَّهِ ، نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَسْتَعِينُهُ وَنَسْتَعِينُهُ مَنْ يَهْدِ اللَّهِ فَلاَ مُضِلًّ لَهُ ، وَمَنْ يُضْلِلْ فَكَ مَضَلًّ لَهُ ، وَمَنْ يُضْلِلْ فَكَ مَضَادِي لَــهُ ، وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَأَشْهَدُ أَنْ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ». وَيَقْرَأُ ثَلاَتُ اللَّهُ ، وَأَشْهَدُ أَنْ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ». وَيَقْرَأُ ثَلاَتُ اللَّهُ ، وَأَشْهَدُ اللَّهُ ، وَأَشْهَدُ أَنْ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ».

1001. 'Abdullâh Ibn Mas'ûd (RAA) narrated, 'The Messenger of Allâh 's taught us to say for fulfillment of a need, "All praise if for Allâh. We praise Him, we seek His aid and we ask for His forgiveness. We seek Allâh's refuge from the evil of ourselves. Whomsoever Allâh guides, there is no one who can lead him astray, and whomsoever Allâh misguides, there is no one to guide him. I testify that none has the right to be worshipped but Allâh alone, and I testify that Muhammad is His slave and Messenger." And recited three verses. Related by Ahmad and the four Imâms. At-Tirmidhî and al-Hâkim graded it as <u>H</u>asan.

١٠٠٢ ـــ وَعَـــنْ جَابِرِ قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا خَطَبَ أَحَدُكُـــمْ الْمَرْأَةَ ، فَإِنِ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرِجَالُهُ ثِقَاتٌ ، وَصَحَّحَهُ الْحَاكِمُ .

1002. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "If one of you proposes to a woman, and he can see from her what may entice him to marry her, he should do so." Related by Ahmad and Abû Dawûd with a reliable chain of narrators. Al-Hâkim graded it as <u>Sahîh</u>.

1003. At-Tirmidhî and An-Nasâ'î transmitted a similar narration on the authority of Al-Mughîrah.

١٠٠٤ ـــ وَعِنْدَ ابْنِ مَاجَهُ ، وَابْنِ حِبَّانَ ، مِنْ حَدِيثِ مُحَمَّدِ بْنِ مَسْلَمَةً .

1004. Ibn Mâjah and Ibn Hibbân transmitted a similar narration on the authority of Muhammad bin Maslamah.

١٠٠٥ ـــ وَلِمُسْلَمٍ عَنْ أَبِي هُرَيْرَةَ : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِرَجُلٍ تَزَوَّجَ السَّرَأَةُ : «أَنْظُرْ إِلَيْهَا».
 امْرَأَةً : «أَنْظُرْتَ إِلَيْهَا ؟» قَالَ : لا . قَالَ : «اذْهَبْ فَانْظُرْ إِلَيْهَا».

1005. Abû Hurairah (RAA) narrated that the Messenger of Allâh said to a man who told him that he had got engaged, "Have you looked at her?" The man replied, 'No.' He said to him, "Go and look at her for it is more likely to create affection between the two of you." Related by Muslim.

١٠٠٦ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ : «لاَ يَخْطُبُ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَتْرُكَ الْخَاطِبُ قَبْلَهُ ، أَوْ يَأْذَنَ لَهُ». مُتَّفَقٌ عَلَيْه ، وَاللَّفْظُ للبُخَارِيِّ .

1006. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "It is not allowed for a man to propose to a woman whom his brother (in Islâm) has already proposed to, until the first suitor gives her up, or allows him to propose to her." Agreed upon and the wording is from Al-Bukhârî.

١٠٠٧ ــ وَعَــنْ سَهْلِ بْنِ سَعْد السَّاعديِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : جَاءَت امْرَأَةُ اللَّهِ يَ رَسُــولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، جَنْتُ أَهَبُ لَكَ نَفْسَــي . فَنَظَرَ إِلَيْهَا رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَصَعَّدَ النَّظَرَ فِيهَا وَصَوَّبَهُ ، ثُمَّ طَأْطَــا ثُرَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأُسَهُ ، فَلَمَّا رَأْتِ الْمَرْأَةُ أَنَّهُ لَمْ يَقْضِ فِيهَا طَأْطَــا ثُرَسُولُ اللَّه ، إِنْ لَمْ تَكُنْ لَكَ بَهَا طَالَحَةٌ فَرَوِّ جَنيهَا ، فَقَامَ رَجُلٌ مِنْ أَصْحَابِهِ ، فَقَالَ : يَا رَسُولَ اللَّه ، إِنْ لَمْ تَكُنْ لَكَ بِهَا حَاجَةٌ فَرَوِّ جَنيهَا ، قَالَ : «فَهَلْ عَنْدَكَ مِنْ شَيْء ؟» فَقَالَ : لا ، وَاللَّه يَا رَسُولَ اللَّه . فَقَالَ : لا أَنْظُرْ وَلَوْ خَاتَمًا وَاللَّه عَلَيْه وَسَلَمَ : «انْظُرْ وَلَوْ خَاتَمًا وَاللَّه عَلَيْه وَسَلَّمَ : «انْظُرْ وَلَوْ خَاتَمًا وَاللَّه عَلَيْه وَسَلَمَ : «انْظُرْ وَلَوْ خَاتَمًا وَاللَّه عَلَيْه وَسَلَمَ : «انْظُرْ وَلَوْ خَاتَمًا

مسنْ حَديد. . فَذَهَبَ ثُمَّ رَجَعَ فَقَالَ : لاَ وَاللّهِ يَا رَسُولَ اللّهِ وَلاَ خَاتَماً مِنْ حَديد وَلَكِ مِنْ هَذَا إِرْارِي - قَالَ سَهْل : مَالُهُ رِدَاء - فَلَهَا نِصْفُهُ ، فَقَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلّم : «مَا تَصْنَعُ بإِرَارِكَ ؟ إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْء ، وَإِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْء ، وَإِنْ لَبِسْتُهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْء ، فَحَلَسَ الرَّجُلُ ، حَتّى إِذَا طَالَ مَجْلَسُهُ قَامَ ، فَرَآهُ رَسُولُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْء ، فَرَآهُ رَسُولُ اللّهِ صَلّى اللّه عَلَيْه وَسَلّم مُولِيًا ، فَأَمَر بِهِ فَدُعي بِه ، فَلَمَّا جَاء قَالَ : «مَاذَا مَعَك مِنَ الْقُرْآنِ ؟» قَالَ : «تَقْرَؤُهُنَ عَنْ الْقُرْآنِ » فَلَا يَ سُورَة كَذَا وَسُورَة كَذَا - عَدَّدَها - ، فَقَالَ : «تَقْرَؤُهُنَ عَنْ ظَهُ مِنَا الْقُرْآنِ ». فَقَالَ : «الْقُرْآنِ». ظَهُ مِن قَلْد مَلَكُنْكَهَا بِمَا مَعَك مِنَ الْقُرْآنِ». مُتَّفَق عَلَيْه ، وَاللّه فَلُك مِنَ الْقُرْآنِ».

وَفِي رِوَايَةً : قَالَ لَهُ : «الْطَلقْ فَقَدْ زَوَّ حُتُكَهَا فَعَلَّمْهَا مِنَ الْقُرْآنِ». وَفِي رِوَايَةً لِلْبُخَارِيِّ : «أَمْكَنَّاكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ».

1007. Sahl bin Sa'd As-Sâ'idî (RAA) narrated, 'Once a woman came to the Prophet and said, I dedicate myself to you (for marriage).' The Messenger of Allah 🎏 looked at her up and down and then lowered his head. When the woman saw that he had made no decision she sat down. One of the companions of the Prophet soft up and said, 'O Messenger of Allah! If you have no need of her, marry her to me.' The Prophet asked him, "Do you have anything to give her as a dowry?" The man replied, 'No, I swear by Allâh, O Messenger of Allâh.' The Prophet 🎉 said to him, "Go to your family and seek something (to offer her)." The man went and then returned saying, 'No, I swear by Allâh I found nothing.' The Messenger of Allah 🎉 said to him, "Seek (something) even if it is an iron ring." The man went and then returned saying, 'No, I swear by Allâh O Messenger of Allâh, not even an iron ring, but I have this Izâr (waist sheet)- Sahl said, 'He had no upper garment'- and I shall give her half of it.' The Messenger of Allâh ﷺ said, "What would she do with your Izâr? If you wear it, there would be nothing of it for her, and if she wears it, there would be nothing of it for you." The man sat down, and when he had sat for a long time he got up. When Allâh's Messenger 🛎 saw him turning away, he commanded people to call him back. When he came the Prophet said to him, "Have you memorized something of the Qur'an?" The man said, 'Yes, I have memorized such and such Sûrahs,' and named some of them. The Prophet then asked him, "Can you recite them by heart?" He replied, 'Yes.' The Prophet then said, "Go for I have married her to you for what you have memorized of the Qur'an." Agreed upon and the wording is from Muslim.

In another version he said, "Go for I have married her to you, and teach her some of the Qur'an (that you know)."

In another version by Al-Bukhârî, "I have married her to you for what you have of the Qur'ân."

1008. Abû Hurairah (RAA) narrated, "The Prophet saked him, "What have you memorized (of the Qur'ân)?" He said, 'Sûrah al-Baqarah (the Cow, No.2) and the one next to it (Sûrah No. 3).' The Prophet then said, "Get up and teach her twenty verses." Related by Abû Dawûd.

1009. 'Âmir bin 'Abdullâh bin Az-Zubair narrated on the authority of his father (RAA) that the Messenger of Allâh said, "Announce the wedding." Related by Ahmad and al-Hâkim graded it as <u>Sahîh</u>.

١٠١٠ ــ وَعَـــنْ أَبِـــي بُرْدَةَ بْنِ أَبِي مُوسَى عَنْ أَبِيهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَـــالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ نِكَاحَ إِلاَّ بولِيِّ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ الْمَدِينِي ، وَالتَّرْمِذِيُّ ، وَابْنُ حَبَّانَ ، وَأَعِلَّ بِالإِرْسَالِ .

1010. Abû Burdah bin Abî Mûsâ narrated on the authority of

his father (RAA) that the Messenger of Allâh  $\frac{1}{20}$  said, "No marriage is to be conducted except with a wall (a woman's guardian)." Related by Ahmad and the four Imâms. Ibn al-Madînî, at-Tirmidhî and Ibn  $\underline{H}$ ibbân graded it as  $\underline{Sah}$ îh.

١٠١١ ـــ وَرَوَى الإِمَــامُ أَحْمَـــ أَعْنِ الْحَسَنِ ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ مَرْفُوعًا :
 «لا نِكَاحَ إِلاَّ بِوَلِيٍّ وَشَاهِدَيْنِ».

1011. Imâm Ahmad transmitted on the authority of al-Hasan on the authority of Imrân bin al-Husain, that the Prophet said "There is no marriage (to be conducted) save with a guardian and two just witnesses."

١٠١٢ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «أَيُّمَـــا اَمْرَأَة نَكَحَتْ بغَيْرِ إِذْن وَلِيَّهَا فَنكَاحُهَا بَاطلٌ ، فَإِنْ دَخلَ بهَا فَلَهَا الْمَهْــرُ بِمَــا اسْتُحَلَّ مِنْ فَرْحِهَا ، فَإِنْ اَشْتَحَرُوا ، فَالسُّلْطَانُ وَلِيَّ مَنْ لاَ وَلِيَّ لَهُ». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيُّ ، وَصَحَّحَهُ أَبُو عَوَائَةَ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1012. 'Â'ishah (RAA) narrated that 'Allâh's Messenger said, "If any woman marries herself without the permission of her walî, then her marriage is void. If the groom copulates with her, she deserves the dowry because of the enjoyment of) her private parts he has made lawful to himself. If they dispute then (they can resort to) the ruler (as he) is the guardian of those who do not have a guardian." Related by the four Imâms except for An-Nasâ'î. Abû 'Uwânah, Ibn Hibbân and al-Hâkim graded it as  $\underline{Sahîh}$ .

١٠١٣ ـــ وَعَــــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ قَالَ : «لاَ تُنْكَحُ الأَيِّمُ حَتَّى تُسْتَأْمَرَ ، وَلاَ تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ». قَالُوا : يَا رَسُولَ اللَّهِ ، وَكَيْفَ إِذْنُهَا ؟ قَالَ : «أَنْ تَسْكُتَ». مُتَّفَقٌ عَلَيْهِ .

1013. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "A non-virgin woman (divorced or widowed) is not to be married except after consulting her nor can a virgin be married except with her consent." The people asked, 'O Messenger of Allâh! How is her consent(to be known)?' He said, "If she remains silent." Agreed upon.

١٠١٤ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الثَّيْبُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا وَالْبِكُرُ تُسْتَأْمَرُ ، وَإِذْنُهَا سُكُوتُهَا». رَوَاهُ مُسْلِمٌ.
 وَفِــي لَفْـــظ : «لَـــيْسَ لِلْوَلِيِّ مَعَ الثَيْبِ أَمْرٌ ، وَالْيَتِيمَةُ تُسْتَأْمَرُ». رَوَاهُ أَبُو دَاوُدَ ،
 وَالنَّسَائِيُّ ، وَصَحَحَهُ ابْنُ حَبَّانَ .

1014. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "A non-virgin woman is worthier to organize her affairs than her guardian. As for the virgin she must be asked for her permission. Her silence is a sign of her consent (to be married)." Related by Muslim.

In another version, "A guardian has no authority over a nonvirgin woman and an orphan girl(i.e. virgin) must be asked for her permission (in marriage)." Related by Abû Dawûd. An-Nasâ'î and Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>.

١٠١٥ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلْمَ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَـــيْهِ وَسَـــلَّمَ : «لاَ تُزَوِّجُ الْمَرْأَةُ الْمَرْأَةُ الْمَرْأَةُ ، وَلاَ تُزَوِّجُ الْمَرْأَةُ نَفْسَهَا». رَوَاهُ اللَّهِ مَاجَهُ ، وَالدَّارَقُطْنِيُّ ، وَرجَالُهُ تُقَاتٌ .

1015. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Let no woman be the guardian of another woman in marriage, and let no woman marry herself (by herself without a guardian)."Related by Ibn Mâjah and Ad-Dâraqutnî with a trustworthy chain of narrators.

١٠١٦ \_ وَعَـــنْ نَافِعِ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الشَّغَارِ» ، وَالشَّغَارُ أَنْ يُزَوِّجَ الرَّجُلُ ابْنَتَهُ ، عَلَى أَنْ يُزَوِّجَهُ الآخِرُ ابْنَتَهُ ، وَلَيْسَ بِيْنَهُمَا صَدَاقٌ . مُتَّفَقٌ عَلَيْه .

وَاتَّفَقَا مِنْ وَحْهٍ آخَرَ عَلَى أَنَّ تَفْسِيرَ الشِّغَارِ مِنْ كَلاَمٍ نَافِعٍ .

1016. Nâfi' narrated on the authority of Ibn 'Umar(RAA), 'The Messenger of Allâh sprohibited Shighâr. It is the marriage in

which a man marries his daughter to another man, and the latter in return marries his daughter to the former, on condition that no dowry is to be paid by either.' Agreed upon.

١٠١٧ ـــ وَعَنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ جَارِيَةً بِكُرًا أَتَتِ النَّبِيَّ صَلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَتُ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ كَارِهَةٌ ، فَخَيَّرَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَةْ وَأُعِلَّ بِالإِرْسَالِ .

1017. Ibn 'Abbâs (RAA) narrated that a young woman came to the Prophet sand stated that her father had married her against her will. The Prophet save her the option to annul the marriage or to accept it.' Related by Ahmad, Abû Dawûd and Ibn Mâjah.

١٠١٨ ـــ وَعَنِ الْحَسَنِ عَنْ سَمُرَةً - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ قَالَ : «أَيْمَا امْرَأَةٍ زَوَّجَهَا وَلِيَّانِ ، فِهِيَ لِلأَوَّلِ مِنْهُمَا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ النَّرْمَذِيُّ .

1018. Al-<u>H</u>asan bin Samurah(RAA) narrated that the Messenger of Allâh said, "Whenever two guardians marry off a woman (to two men), the first husband is worthier of her." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as <u>H</u>asan.

١٠١٩ ـــ وَعَنِ جَابِرِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا عَبُّد تَرَوَّجَ بِغَيْرٍ إِذْن مَوَالِيهِ ، أَوْ أَهْلِهِ فَهُوَ عَاهِرٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحَهُ ، وَكَذَلِكَ ابْنُ حِبَّانَ .

1019. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "Any slave who marries without the permission of his master, he is like a fornicator." Related by Ahmad Abû Dawûd and At-Tirmidhî. The latter and Ibn Hibbân graded it as <u>Sahîh</u>.

١٠٢٠ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يُحْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا ، وَلاَ بَيْنَ الْمَرْأَةِ وَخَالَتِهَا». مُتَّفَقٌ عَلَيْهِ . 1020. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A woman is not to be married along with her paternal or her maternal aunts." Agreed upon.

1021. Uthmân (RAA) narrated that the Messenger of Allâh ﷺ said, "A pilgrim while in a state of *Ihrâm* may not contract marriage (himself), nor contract the marriage of someone else." Related by Muslim.

In a version by Muslim, "He may neither propose to a woman (either for himself or for someone else)," Ibn <u>Hibbân</u> added the following in his version, "Nor be asked for the hand of a woman (he is the guardian of)."

1022. Ibn 'Abbâs (RAA) narrated, "The Messenger of Allâh ﷺ married Maimûnah while he was in the state of *Ihrâm.* 301" Agreed upon.

1023. Muslim transmitted on the authority of Maimûnah(RAA) that the Messenger of Allâh ﷺ married her while he was not in the state of *Ihrâm*.

<sup>301-</sup> Many of the companions are of the opinion that the Prophet  $\frac{1}{2}$  married Maimûnah before he puts on his  $I\underline{h}ram$  but the news of his marriage became known while he was in the state of  $I\underline{h}ram$ , and then he consummated his marriage in Makkah. This opinion goes in accordance with the prohibition mentioned in this  $\underline{h}$ adîth.

١٠٢٤ - وَعَ-ــنْ عُقْـــبَةَ بْـــنِ عَامِرٍ قَالَ : قَالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ أَحَقَّ الشّرُوطِ أَنْ يُوفَى بهِ ، مَا اسْتَحْلَلْتُمْ بهِ الْفُرُوجَ». مُتَّفَقٌ عَلَيْهِ .

1024. Uqbah bin 'Âmir (RAA) narrated that the Messenger of Allâh said, "The most deserving conditions to be fulfilled, are those that make the private parts lawful (<u>H</u>alâl) for you (i.e. in marriage)." Agreed upon.

١٠٢٥ ـــ وَعَـــنْ سَلَمَةَ بْنِ الأَكْوَعِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «رَخَّصَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَ أَوْطَاسٍ فِي الْمُتْعَةِ ثَلاَئَةَ أَيَّامٍ ، ثُمَّ نَهَى عَنْهَا». رَوَاهُ مُسْلِمٌ.

1025. Salamah bin al-Akwa' narrated, The Messenger of Allâh permitted *Mut'ah* Marriage, 302 for three days in the year of Autâs, 303 but then he prohibited it." Related by Muslim.

١٠٢٦ ــ وعَـــنْ عَلِيَّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمُتْعَةِ عَامَ خَيْبَرَ . مُتَّفَقٌ عَلَيْهِ .

1026. 'Alî bin Abî <u>T</u>âlib narrated, 'The Messenger of Allâh **#** prohibited the *Mut'ah* marriage on the battle of *Khaibar*." Agreed upon.

١٠٢٧ ـــ وَعَـــنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ مُثْعَةِ النِّسَاءِ ، وَعَنْ أَكْلِ الْحُمُرِ الأَهْلِيَّةِ يَوْمَ حَيْبَرَ . أَخْرَجَهُ السَّبْعَةُ إِلاَّ أَبَا دَاوُدَ .

1027. 'Alî bin Abî <u>T</u>âlib narrated, 'The Messenger of Allâh **\*** prohibited the *Mut'ah* Marriage on the battle of *Khaibar* as well as the flesh of domestic donkeys."Transmitted by the seven Imâms except Abû Dawûd.

<sup>302-</sup> This is a kind of temporary marriage, the duration of which is predetermined through an agreement between the man and the woman. The purpose of this marriage is to have sexual intercourse for that period of time, by the end of which the woman is automatically divorced. It is unanimously termed invalid by all Muslim scholars.

<sup>303-</sup> A battle which took place after the Conquest of Makkah.

١٠٢٨ - وَعَ-نُ رَبِيعِ بْنِ سَبُرَةً عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنِّي كُنْتُ أَذِنْتُ لَكُمْ فِي الإسْتَمْتَاعِ مِنَ النِّسَاءِ ، وَإِنَّ اللَّهَ قَدْ حَرَّمَ ذَلِكَ إِلَى يَوْمِ الْقِيَامَةِ ، فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهَا ، وَلاَ تَأْخُذُوا مَصَّا اللَّهَ عَلَى اللَّسَائِيُّ ، وَالنَّسَائِيُّ ، وَالْنَ مَاجَةً ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَةً ، وَأَبُو مَاجَةً ، وَابْنُ مَاجَةً ، وَأَبْو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَةً ، وَأَمُو مَا أَنْ حَبَّانَ .

1028. Rabî´ bin Sabrah narrated on the authority of his father (RAA) that the Messenger of Allâh said, "I had permitted you to contract Mut´ah Marriage,304 but Allâh has surely prohibited it until the Day of Resurrection. So, if any of you has a woman that he married through Mut´ah, he should let her go, and do not take back any of the dower he gave her." Related by Muslim, Abû Dawûd, An-Nasâ'î, Ibn Mâjah, Ahmad and Ibn Hibbân.

١٠٢٩ ـــ وَعَنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - فَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمُحَلِّلَ وَالْمُحَلِّلَ لَهُ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَالتَّرْمِذِيُّ وَصَحَّحَهُ .

1029. Ibn Mas'ûd (RAA) narrated, "The Messenger of Allâh cursed the muhallil<sup>305</sup> and the one (the first husband) for whom the woman was made lawful (through this marriage).' Related by Ahmad, An-Nasâ'î and At-Tirmidhî who rendered it to be authentic.

1030. The four Imâms except An-Nasâ'î transmitted a similar tradition on the authority of 'Alî.

<sup>304-</sup> This marriage was permitted for sometime at the rise of Islâm, but then it was finally prohibited in the year of Khaibar.

<sup>305-</sup> Al-Muhallil is the man who temporarily marries a woman, who has been divorced three times and thus she is not lawful anymore for her first husband. The muhallil marries her temporarily, may have sexual intercourse with her or not. He then divorces her to go back to her first husband, to whom she is now lawful (Halâl) to remarry except through a new marriage contract. This is also prohibited as it is another form of temporary marriage that stipulates separation due to a previously made agreement between the first husband and the muhallil.

١٠٣١ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالُ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «لَا يَـــنْكِحُ الزَّانِي الْمَجْلُودُ إِلاَّ مِثْلَهُ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَرِجَالُهُ ثِقَاتٌ .

1031. Abû Hurairah(RAA) narrated that Allâh's Messenger said, "A man guilty of adultery, who has been flogged, should not marry but one who is as guilty as he is." Related by Ahmad and Abû Dawûd with a trustworthy chain of narrators.

١٠٣٢ \_ وَعَـــنْ عَائِشَـــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : طَلَّقَ رَجُلِّ امْرَأَتَهُ ثَلاَثًا ، فَسَتَزَوَّجَهَا رَجُلٌ ، ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا ، فَأَرَادَ زَوْجُهَا الأَوَّلُ أَنْ يَتَزوَّجَهَا ، فَسَتَزَوَّجَهَا (رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلكَ ، فَقَالَ : «لاَ ، حَتَّى يَذُوقَ الآخَرُ مِنْ عُسَيْلَتِهَا مَا ذَاقَ الأَوَّلُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّهُ طُ لِمُسْلِمٍ .

1032. 'Â'ishah (RAA) narrated, 'A man divorced his wife three times, then she married another man who also divorced her before having sexual contact with her. The first husband wanted to remarry her(after her divorce from the second man). The Messenger of Allâh se was asked about this, but he replied, "No, she cannot marry the first husband until the second husband consummates his marriage with her, just as the first husband had done." Agreed upon, and the wording is from Muslim.

## بَسابُ الْكَفَاءَةِ وَالْخِيَسارِ

#### Chapter II: Compatibility 306 in Marriage and the Right to Choose

١٠٣٣ — عَنِ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَرَبُ بَعْضُهُمْ أَكْفَاءُ بَعْضٍ ، وَالْمَوَالِي بَعْضُهُمْ أَكْفَاءُ بَعْضٍ ، إِلاَّ حَائِكًا أَوْ حِجَّامًا». رَوَاهُ الْحَاكِمُ ، وَفِي إِسْنَادِهِ مَنْ لَمْ يُسَمَّ ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ .

<sup>306-</sup> Scholars have differed over the definition of compatibility, and most of them are of the opinion that the most important aspect is that of in religiousness.

1033. Ibn 'Umar (RAA) narrated that the Messenger of said, "Arabs are equivalent to one another (in marriage) and clients (slaves) are equivalent to one another, save a weaver or a cupper." Related by Al-Hakim but all its chains of narrators are extremely weak, and most scholars considered it to be a false tradition.

1034. Al-Bazzâr transmitted a similar narration on the authority of Mu´adh bin Jabal, but with a disconnected chain of narrators.

1035. Fâtimah the daughter of Qais (RAA) narrated that the Messenger of Allâh said to her, "Marry Usâmah." 307 Related by Muslim.

1036. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "O sons of Bayâdah (Banû Bayâdah) marry Abû Hind³08 to (someone of) your women, and marry his women (his daughters)," and he was a cupper.' Related by Abû Dawûd and Al-Hâkim with a good chain of narrators.

<sup>307-</sup> Fâtimah bint Qais was from the tribe of Quraish, i.e. of a noble lineage, while Usâmah was his slave and the son of his client Zaid.

<sup>308-</sup> Abû Hind or Yasâr, cupped the Prophet 義, this hadîth and the previous one, are proof that it is not only the lineage which counts in equivalence. It was also reported that Bilâl (RAA), who was a slave before he was manumitted by Abû Bakr (RAA), married Hâlah the sister of 'Abdur Rahmân bin 'Auf, and 'Umar (RAA), offered his daughter Hafsah in marriage to Salmân al-Fârisî (a Persian slave) before she married the Prophet 義.

١٠٣٧ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «خُيِّرَتْ بَرِيْرَةُ عَلَى زَوْجِهَا حين عُتقَتْ». مُتَّفَقٌ عَلَيْه ، وَفي حَديث طَويل .

وَلُمُسْسُلِمٍ عَنْهَا - رَضِيَ اللَّهُ عَنْهَا - أَ «أَنَّ زُوْجَهَا كَانَ عَبْدًا» ، وَفِي رِوَايَة عَنْهَا «كَانَ حُرًّا» ، وَالأَوَّلُ أَثْبَتُ .

وَصَحَّ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – عِنْدَ الْبُخَارِيِّ ، أَنَّهُ كَانُ عَبْدًا .

1037. 'Â'ishah (RAA) narrated, 'When Barîrah was manumitted, she was given the choice to remain with her husband (Mughîth) who was a slave at that time, or to leave him.' (part of a long tradition) Agreed upon.

In a version by Muslim: 'Her husband was a slave.' He also related on the authority of 'Â'ishah (RAA): 'He was a free man.' But the first narration (that he was a slave) is stronger.

Al-Bukhârî also related on the authority of Ibn 'Abbâs that he was a salve.

١٠٣٨ \_ وَعَــنِ الضَّحَّاكِ بْنِ فَيْرُوزَ الدَّيْلَمِيِّ ، عَنْ أَبِيهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالُ : يَا رَسُولُ اللَّهِ ، إِنِّي أَسْلَمْتُ وَتَحْتِي أُخْتَانِ . فَقَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «طَلَّــقْ أَيْسَتَهُمَا شَئْتَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَالدَّارَقُطْنِيُّ ، وَالبَّيْهَقِيُّ ، وَأَعَلَّهُ الْبُخَارِيُّ .

1038. Ad-Dahhāk bin Fairûz Ad-Dailamî narrated on the authority of his father (RAA), 'O Messenger of Allâh! I have embraced Islâm and I am married to two sisters.' <sup>309</sup> The Messenger of Allâh

said to him, "Divorce whichever of them you wish to leave." Related by Ahmad and the four Imâms except for An-Nasâ'î. Ibn Hibbân, ad-Dâraqutnî and al-Baihaqî graded it as <u>Sahîh</u>.

١٠٣٩ ـــ وَعَنْ سَالِمٍ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - : أَنْ غَيْلاَنَ بْنَ سَلَمَةَ ، أَسْلَمَ ، وَلَهُ عَشْرُ نِسْوَةٍ ، فَأَسْلُمْنَ مَعَهُ ، فَأَمَرَهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَتَخَيَّرَ مِنْهُنَّ أَرْبَعًا».

<sup>309-</sup> It is prohibited in Islâm to marry two sisters together at the same time.

رَوَاهُ أَحْمَـــدُ ، وَالــــتَّرْمِذِيُّ ، وَصَـــحَّحُهُ ايْنُ حِبَّانَ ، وَالْحَاكِمُ ، وَأَعَلَّهُ الْبُخَارِيُّ ، وَأَبُو زُرْعَةَ ، وَأَبُو حَاتِم .

1039. Sâlim narrated on the authority of his father (RAA), 'Ghailân bin Salamah who embraced Islâm and he had ten wives (at the time) who all accepted Islâm with him. The Messenger of Allâh scommanded him to choose only four of them.' Related by Ahmad and At-Tirmidhî. Ibn Hibbân and al-Hâkim graded it as Sahîh; but al-Bukhârî, Abû Zur'ah and Abû Hâtim graded it as a defected Hadîth..

١٠٤٠ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «رَدَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بْنِ الرَّبِيعِ بَعْدَ سِتً سِنِينَ بِالنِّكَاحِ الأُولِ ، وَلَمْ يُحْدِثْ نِكَاحًا». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ أَحْمَدُ وَالْحَاكِمُ .

1040. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ restored his daughter Zainab to Abû Al-'Âs bin ar-Rabî'<sup>310</sup> after six years(of separation) according to (the contract of the) first marriage and did not make a new one.'Related by Ahmad and the four Imâms save An-Nasâ'î. Ahmad and al-Hâkim graded it as Sahîh.

١٠٤١ \_\_ وَعَـــنْ عَمْـــرِو بْنِ شُعَيْب ، عَنْ أَبِيهِ ، عَنْ جَدِّه : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ رَدَّ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بِنِكَاحٍ جَدِيد» قَالَ التِّرْمِذِيُّ : حَدِيثُ ابْن عَبَاسِ أَجْوَدُ إسْنَاداً ، وَالعَمَلُ عَلَى حَديث عَمْرُو بْنِ شُعَيْب .

1041. 'Amro bin Shu'aib narrated on the authority of his

<sup>310-</sup> Abû Al-Âs bin ar-Rabî was the husband of the Prophet's daughter (Zainab). She embraced Islâm with the family of the Prophet 寒 while he remained a polytheist and was taken as a prisoner of war in the Battle of Badr. Zainab sent her necklace (which was given to her by her mother Khadîjah) to the Prophet 雾 as a ransom to set him free, the Prophet 雾 accepted it and stipulated that Al-Âs lets her migrate to the Prophet 雾 in Madînah. She migrated and in the year 6 of al-Hijrah of the Prophet 雾 the verse which prohibits the marriage of a Muslim woman to a disbeliever was revealed. She remained for two years and her marriage was suspended until Abû Al-Âs embraced Islâm (during the 8th year of al-Hijrah) and the Prophet 雾 restored her to him.

father on the authority of his grandfather that the Messenger of Allâh se restored his daughter Zainab to Abû Al-'Âs with a new marriage contract.'311 Imâm At-Tirmidhî said that the hadîth of Ibn 'Abbâs is related with a stronger chain of narrators.

١٠٤٢ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «أَسْلَمَتِ امْرَأَةٌ ، فَتَزَوَّجَتْ فَجَاءَ زَوْجُهَا، وَعَلْمَتْ امْرَأَةٌ ، فَتَزَوَّجَتْ فَجَاءَ زَوْجُهَا، وَعَلَمَتْ الْإِسْلاَمِي ، فَجَاءَ زَوْجُهَا اللَّهِ مَالُمْ اللَّهِ ، إِنِي كُنْتُ أَسْلَمْتُ وَعَلَمَتْ الْإِسْلاَمِي ، فَانْدَتَزَعَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ زَوْجِهَا الآخَرُ ، وَرَدَّهَا إِلَى زَوْجِهَا الْأَخْرُ ، وَرَدَّهَا إِلَى زَوْجِهَا الْأَخْرُ ، وَرَدَّهَا إِلَى زَوْجِهَا الْأَوْلِي . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنِ مَاجَهُ وَصَحَّحَهُ ابْنِ حِبَّانَ ، وَالْحَاكِمُ .

1042. Ibn 'Abbâs (RAA) narrated, 'A woman embraced Islâm then got married. Her (first) husband came and said, 'O Messenger of Allâh, 'I have accepted Islâm and she knew that (before she got married).' The Messenger of Allâh then took her away from the second husband and gave her back to the first one.' Related by Ahmad, Abû Dawûd and Ibn Mâjah. Ibn Hibbân and al-Hâkim graded it as Sahîh

١٠٤٣ ـ وَعَنْ زَيْد بْنِ كَعْبِ بْنِ عُجْرَةً عَنْ أَبِيهِ قَالَ : تَزَوَّجَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـلَمَ الْعَالَــيَةَ مِنْ بَنِي غِفَارٍ ، فَلَمَّا ذَخَلَتْ عَلَيْهِ ، وَوَضَعَتْ ثِيَابَهَا ، رَأَى عَلَــيْهِ وَسَـلَمَ الْعَالَــيَةَ مِنْ بَنِي غِفَارٍ ، فَلَمَّا ذَخَلَتْ عَلَيْهِ ، وَوَضَعَتْ ثِيَابَهَا ، رَأَى بِكَشْــَحِهَا بَيَاضًــا ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْبُسِي ثِيَابَكِ ، وَالْحَقِي بِكَشْــَحِهَا بَيَاضًــا ، فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْبُسِي ثِيَابَكِ ، وَالْحَقِي بِكَشْــَحِهَا بَيَاضًــا ، وَالْحَقِي بِسَنَادِهِ جَمِيلُ بْنُ زَيْدٍ ، وَهُو بِالشّنَادِهِ جَمِيلُ بْنُ زَيْدٍ ، وَهُو مَحْهُولٌ ، وَاخْتَلِفَ عَلَيْهِ فِي شَيْخِهِ اخْتِلَافًا كَثِيرًا .

1043. Zaid bin Ka'b bin 'Ujrah narrated on the authority of his father, 'The messenger of Allâh & married al-'Âliyah from

<sup>311-</sup> Ahmad and Ad-Dârqutnî said that this is a weak hadîth. The stronger narration is the one that says that the Prophet sconsented to the first marriage after Abû Al-Âs embraced Islâm. Imâm Ibnul Qaiyim said that the hadîth related by Ibn Abbâs indicates that the marriage was suspended. If the husband embraces Islâm before her Iddah is over, then she is still his wife and there is no need to renew the marriage. If the husband embraced Islâm after the Iddah of his wife is over, then they must be separated at the termination of Iddah and remarry with a new contract.

Banî Ghifâr. When she had entered his presence and doffed her clothes, the Prophet saw whiteness on her flanks. Thereupon, he said to her, "Put on your clothes and go back to your family," and he gave her the dower. Related by Al-Hâkim, but there is Jamîl bin Zaid in the chain of narrators who is not trustworthy.

١٠٤٤ ــ وَعَنْ سَعِيد بْنِ الْمُسَيَّبِ أَنَّ عُمَرَ يْنِ الْحَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَيُّمَا رَجُلٍ تَزُوَّجَ امْرَأَةً فَدَخَلَ بِهَا فَوَجَدَهَا بِرْصَاءَ أَوْ مَجْنُونَةً ، أَوْ مَجْنُورَةً ، فَلَهَا الصَّدَاقُ بِمَسْيسِهِ إِيَّاهَا ، وَهُوَ لَهُ عَلَى مَنْ غَرَّهُ مِنْهَا». أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ ، وَمَالِكٌ ، وَابْنُ أَبِي شَيْبَةً ، وَرِجَالُهُ ثِقَاتٌ .

1044. Sa'îd bin al-Musaiyab narrated that 'Umar bin al-Khattâb (RAA) said, 'If a man married a woman and when he has had sexual intercourse with her, he discovered that she is leprous or insane, she is entitled to get her dower for having had intercourse with her and he is to get back what he paid from the one who deceived him by marrying him to her (and he knew of her defects).' Related by Sa'îd bin Mansûr and Mâlik bin Abî Shaibah with a trustworthy chain of narrators.

١٠٤٥ ـــ وَرَوَى سَــعِيدٌ أَيْضًا عَــنْ عَلِيٍّ نَحْوَهُ ، وَزَادَ : «وَبِهَا قَرْنٌ ، فَزَوْجُهَا بِالْحِيَارِ ، فَإِنْ مَسَّهَا فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا».

1045. Sa'îd bin al-Musaiyab narrated a similar narration on the authority of 'Alî and added, 'or had a defect in her vagina (like a protrusion that impedes having normal sexual relation with her), her husband then has the choice to keep her or divorce her. If he had intercourse with her, then she gets her dower for him having enjoyed her private parts.

1046. Sa'îd bin al-Musaiyab also narrated, 'Umar (RAA) ordained that an impotent husband must be given a chance for a year before divorcing him from his wife.' It is transmitted with a trustworthy chain of narrators.

#### بَابُ عِشْرَة النِّسَاء

#### Chapter III: Treatment of wives

١٠٤٧ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «مَلْعُــونٌ مَنْ أَتَى امْرَأَةً فِي دُبُرِهَا». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ وَاللَّفْظُ لَهُ وَرِحَالُهُ ثِقَاتٌ ، لَكِنْ أُعِلُّ بِالإِرْسَالِ .

1047. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, 'He who has intercourse with his wife through her anus,<sup>312</sup> is cursed.' Related by Abû Dawûd and An-Nasâ'î and the wording is his.

١٠٤٨ ـــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلاً أَوِ امْرَأَةً فِي دُبُرِهَا». رَوَاهُ التَّرْمِذِيُّ ، وَالنَّسَائِيُّ ، وَابْنُ حَبَّانَ ، وَأَعَلَّ بِالْوَقْفِ .

1048. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Allâh does not look at a man who had intercourse with another man or with a woman in her anus." Related by At-Tirmidhî, An-Nasâ'î and Ibn Hibbân.

١٠٤٩ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ ، فَلاَ يُؤْذِي حَارَهُ ، وَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا ، فَإِنَّهُ وَلَيْ مَنْ ضَلْع أَعْوَجٍ ، وَإِنَّ أَعْوَجَ شَيْءٍ فِي الضَّلْعِ أَعْلاَهُ ، فَإِنْ ذَهَبْتَ تُقِيمُهُ كَسَرْتَهُ ، وَإِنْ تَرَكْتُهُ لَمْ يَزَلُ أَعْوَجَ ، فَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّهُ لَلُهُ عَلَيْهِ ، وَإِنْ تَرَكْتُهُ لَمْ يَزَلُ أَعْوَجَ ، فَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّهُ لَلْهُ عَلَيْهِ ،

وَلِمُسْــلَمٍ : ﴿فَإِنِ اسْتَمْتَعْتَ بِهَا ، اسْتَمْتَعْتَ بِهَا ، وَبِهَا عِوَجٌ ، وَإِنْ ذَهَبْتَ تُقِيمُهَا كَسَرُ تُهَا ، وَكَسْرُهُمَا طَلاَقُهَا».

<sup>312-</sup> This is absolutely prohibited through the rulings of the Qur'an and Sunnah.

1049. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever believes in Allâh and the Last Day, should not hurt(cause problems to)his neighbor. And I advise you to treat women kindly, for they are created from a rib, and the most crooked part of the rib is the upper part. If you then try to straighten it, you will break it off, and if you leave it as it is, it will remain crooked. So, I advise you to treat women well." Agreed upon and the wording is from Al-Bukhârî.

In another version by Muslim, "So, if you enjoy her (company) then enjoy her while she is still crooked, and if you try to straighten this nature of hers, you will break her, and breaking her means divorcing her."

١٠٥٠ ــ وَعَـــنْ حَابِــر - رَضـــيَ اللَّهُ عَنْهُ - قَالَ : كُنَّا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَمَ فِي غَزْوَة ، فَلَمَّا قُدمْنَا الْمَدينَة ذَهْبُنَا لِنَدْخُلُ فَقَالَ : « أَمْهِلُوا حَتَّى تَدْخُلُوا لَيْكُ - يَعْنِي عِشَاءً - لِكَيْ تَمْتَشِطَ الشَّعِثَةُ ، وَتَسْتَحِدُّ الْمُغِيبَةُ». مُتَّفَقَ عَلَيْهِ .
 وَفِي رِوَايَةٍ لِلْبُخَارِيِّ : «إِذَا أَطَالَ أَخَدُكُمُ الْغَيْبَة ، فَلاَ يَطُرُق أَهْلَهُ لَيْلاً».

1050. Jâbir (RAA) narrated, 'We were on an expedition with the Prophet . then when we approached Madînah and we were about to enter the city, he said to us, "Wait until you enter it at night -at the time of Ishâ- so that the lady with unkempt hair may comb her hair, and the one whose husband has been absent (for along time) may shave her pubic area." Agreed upon.

In another version by Al-Bukhârî, "When anyone of you has been away from home for a long time he must not return to his family during the night (i.e. surprise them while they are asleep)."

<sup>313-</sup> This hadîth refers to the woman's affectionate nature, which makes her fit for being a wife and a mother, and this is what the Prophet & means by saying that she was created from a crooked rib.

١٠٥١ ـــ وَعُـــنُ أَبِــي سُعِيد الْخُدْرِيِّ - رُضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رُسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ شَرََّ النَّاسِ عِنْدَ اللَّهِ مَنْزِلَةً يَوْمَ الْقَيَامَةِ ، الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ ، وَتُفْضِي إِلَيْهِ ، ثُمَّ يَنْشُرُ سِرَّهَا». رَوَاهُ مُسْلِمٌ .

1051. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh said, "Among the worst people in Allâh's sight, on the Day of Resurrection, is the man who copulates with his wife and she with him, and then spreads her secret." Related by Muslim.

١٠٥٢ ــ وَعَـــنْ حَكِـــيمِ بْنِ مُعَاوَيَةَ عَنْ أَبِيهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، مَا حَقُّ زَوْجِ أَحَدِنَا عَلَيْهِ ؟ قَالَ : «تُطْعِمُهَا إِذَا أَكَلْتَ ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ ، وَلاَ تَضْرِبِ الْوَجْهَ ، وَلاَ تُقْبَحْ ، وَلاَ تَهْجُرُ إِلاَّ فِي الْبَيْتِ». رَوَاهُ أَحْمَدُ ، وَلاَ تَهْجُرُ إِلاَّ فِي الْبَيْتِ». رَوَاهُ أَحْمَدُ ، وَأَبُــو دَاوُدَ ، وَالنَّسَـائِيُّ ، وَابْــنُ مَاجَــهُ ، وَعَلَّــقَ الْبُحَارِيُّ بَعْضَهُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَالْحَاكِمُ .

1052. <u>Hakîm bin Mu'âwiyah narrated on the authority of his</u> father (RAA), 'I asked, 'O Messenger of Allâh! What are the rights of one's wife upon her husband?' He answered **%**, "To feed her when you eat, clothe her when you clothe yourself, not to slap her face or insult her, and not to abandon her except inside the house." Related by Ahmad, Abû Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn <u>H</u>ibbân and al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١٠٥٣ \_ وَعَـــنْ حَابِـــرِ بْنِ عَبْدِاللّهِ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : «كَانَتْ الْيَهُودُ تَقُـــولُ : إِذَا أَتَـــى الـــرَّجُلُ امْرَأَتُهُ مِنْ دُبُرِهَا فِي قُبُلِهَا كَانَ الْوَلَدُ أَحْوَلَ ، فَنزَلَتْ : {نِسَاؤُكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْنَكُمْ أَنَى شِئْتُمْ}. مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1053. Jâbir bin 'Abdullâh (RAA) narrated, 'The Jews used to say, 'When a man has intercourse with his wife through the vagina but being on her back, the child will have a squint. So, the verse was revealed, "Your wives are a tilth for you so go to your tilth when or how you wish." (2:223). Agreed upon and the wording is from Muslim.

١٠٥٤ ــ وَعَــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قِالَ رَسُولُ اللَّهِ ، اللَّهُمَّ جَنَّبْنَا عَلَــيْهِ وَسَلَّمَ : «لَوْ أَنَّ أَحَدُكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ : بِسْمِ اللَّهِ ، اللَّهُمَّ جَنَّبْنَا الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا ، فَإِنَّهُ إِنْ يُقَدَّرَ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ ، لَمْ يَضُرَّهُ الشَّيْطَانُ أَبَدًا». مُتَّفَقٌ عَلَيْه .
 الشَّيْطَانُ أَبَدًا». مُتَّفَقٌ عَلَيْه .

1054. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "If any of you wants to have sexual intercourse with his wife, he should say, 'In the name of Allâh, O Allâh! Protect us from the devil and keep the devil away from what You grant us (i.e. offspring).' If it is predestined for them to have a child, the devil will never be able to harm him." Agreed upon.

١٠٥٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشَه ، فَأَبَتْ أَنْ تَحِيءَ ، فَبَاتَ غَضْبَانَ ، لَعَنَتْهَا الْمَلاَئكَةُ حَتَّى تُصْبِحَ». مُتَّفَقٌ عَلَيْه ، وَاللَّهْظُ لِلْبُخَارِيِّ .

1055. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whenever a man calls his wife to his bed (for intercourse) but she refuses to come, the angels curse her until the morning." Agreed upon and the wording is from Al-Bukhârî.

Another version by Muslim says, "and He Who is in heaven (i.e. Allâh) remains displeased with her, until her husband has reconciled with her."

١٠٥٦ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - ; أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَعَنَ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ . مُثَّفَقٌ عَلَيْه .

1056. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh \*
cursed the Wâsilah (the lady who adds artificial hair to hers or to
someone else's) and al-Mustawsilah (the one who asks for it) and
also the lady, who tattoos (herself or someone else) or gets herself
tattooed (i.e. asks for it).' Agreed upon.

١٠٥٧ ــ وَعَــنْ جُذَامَةَ بِنْتِ وَهْبِ - رَضِيَ اللَّهُ عَنْهَا - قَالَتُ : حَضَرْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي أَنَاسٍ ، وَهُوَ يَقُولُ : «لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الْغِيْلَة ، فَلَا مَنْ اللَّهُ عَلَيْهِ وَسَلَّمَ فِي أَنَاسٍ ، وَهُوَ يَقُولُ : «لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الْغِيْلَة ، فَنَظَرْتُ فِي الرُّومِ وَفَارِسَ ، فَإِذَا هُمْ يُغِيلُونَ أَوْلاَدَهُمْ ، فَلاَ يَضُرُّ ذَلِكَ أَوْلاَدَهُمْ شَيْئًا» فَنَظَرْتُ فِي الرُّومِ وَفَارِسَ ، فَإِذَا هُمْ يُغِيلُونَ أَوْلاَدَهُمْ ، فَلاَ يَضُرُّ ذَلِكَ أَوْلاَدَهُمْ شَيْئًا» ثُمَّ سَأَلُوهُ عَنِ الْعَزْلِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ذَلِكَ الْوَأَدُ الْحَفِيُّ». رَوَاهُ مُسْلَمٌ .

1057. Judhâmah bint Wahb (RAA) said, 'I was with Allâh's Messenger along with some people when he said, "I intended to prohibit Ghîlah<sup>314</sup> but I considered the Romans and the Persians and found that they do it without any harm being caused to their children." Then he was asked about 'Azl (Coitus interruptus), he replied , "This is secret (way of) burying alive." Related by Muslim.

١٠٥٨ \_ وَعَــنْ أَبِــي سَــعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَجُلاً قَالَ : يَا رَسُــولَ اللَّهِ ، إِنَّ لِي جَارِيَةً ، وَأَنَّا أَعْزِلُ عَنْهَا ، وَأَنَا أَكْرَهُ أَن تَحْمِلَ ، وَأَنَا أُرِيدُ مَا يُسَـرِيدُ الرِّجَالُ ، وَإِنَّ الْيَهُودَ تَحَدَّثُ ، أَنَّ الْعَزْلَ الْمَوْءُودَةُ الصَّغْرَى ، قَالَ : «كَذَبَتِ يُسرِيدُ الرِّجَالُ ، وَإِنَّ الْيَهُودَ تَحَدَّثُ ، أَنَّ الْعَزْلَ الْمَوْءُودَةُ الصَّغْرَى ، قَالَ : «كَذَبَتِ السَّيْهُودُ ، لَوْ أَرَادَ اللَّهُ أَنْ يَخْلُقَهُ مَا اسْتَطَعْتَ أَنْ تَصْرِفَهُ». رَوَاهُ أَحْمَدُ ، وَ أَبُو دَاوُدَ وَاللَّهُ ظُلُ لَهُ - وَالنَّسَائِيُّ ، وَالطَّحَاوِيُّ ، وَرجَالُهُ ثَقَاتٌ .

1058. Abû Sa'îd al-Khudrî (RAA) narrated, 'A man said, 'Allâh's Messenger! I have a slave girl and I practice 'Azl with her. I do not want her to conceive, but I have desire in what men (usually) have (i.e. intercourse). But the Jews say, that 'Azl is the minor—type—of burying alive.' The Messenger of Allâh said, "The Jews told a lie, for if Allâh wishes to create it (an offspring) you would not be able to stop it." Related by Ahmad and Abû Dawûd and the wording is his. It was also narrated by an-Nasâ'î and at-Tahâwî and its narrators are trustworthy.

<sup>314-</sup> Ghîlah means either suckling during pregnancy, or intercourse with the wife while she is breast feeding a child.

١٠٥٩ \_ وَعَنْ جَابِرِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَـــلَى اللَّــهُ عَلَــيْهِ وَسَلَّمَ ، وَالْقُرْآنُ يَنْزِلُ ، وَلَوْ كَانَ شَيْئًا يُنْهَى عَنْهُ ، لَنَهَانَا عَنْهُ الْقُرْآنُ». مُتَّفَقٌ عَلَيْه .

وَلِمُسْلِمٍ: «فَبَلَغَ ذَلَكَ نَبِيَّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يَنْهَنَا عَنْهُ».

1059. Jâbir (RAA) narrated, 'We used to practice 'Azl during the lifetime of the Prophet \* while the Qur'ân was being revealed, and if it was prohibited, the Qur'ân would have prohibited us from doing it.' Agreed upon.

And in a version related by Muslim, 'The Messenger of Allâh \$\mathbb{H}\$ heard about it but did not prohibit us from doing so.'

١٠٦٠ \_ وَعَـــنْ أَنـــسِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ كَانَ يَطُوفُ عَلَى نِسَائِهِ بِغُسْلُ وَاحِدٍ». أَخْرَجَاهُ ، وَاللَّفْظُ لِمُسْلِمٍ .

1060. Anas Ibn Mâlik (RAA) narrated, 'The Messenger of Allâh sused to have intercourse with all of his wives, with only one single Ghusl.' Agreed upon and the wording is from Muslim.

#### بَــابُ الصَّــدَاقِ Chapter IV: The Dowry

١٠٦١ ــ عَــنْ أَنــس - رَضِــيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ أَعْتَقَ صَفِيَّةَ ، وَجَعَلَ عِثْقَهَا صَدَاقَهَا». مُتَّفَقَ عَلَيْهِ .

١٠٦٢ ـــ وَعَـــنْ أَبِــي سَلَمَةَ بْنِ عَبْدالرَّحْمَنِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ قَالَ : سَأَلْتُ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - ، كُمْ كَانَ صَدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ؟ قَالَتْ : «كَانَ صَدَاقُهُ لأَزْوَاجِهِ ثِنْتَيْ عَشْرَةَ أُوقِيَّةً وَنَشًّا ، قَالَتْ : أَتَدْرِي مَا النَّشُ؟ قَـــالَ : قُلْـــتُ : لاَ . قَالَتْ : نِصْفُ أُوقِيَّة ، فَتِلْكَ خَمْسُمائَة دِرْهَمٍ ، فَهَذَا صَدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لأَزْوَاجِهِ». رَوَاهُ مُسْلِمٌ .

1062. Abû Salamah bin 'Abdur Rahmân (RAA) narrated, 'I asked 'Â'ishah (RAA), 'How much was the dowry given by the Messenger of Allâh (RAA), 'How much was the dowry given by the Messenger of Allâh (to his wives)?' She replied, 'The dowry which the Prophet (gave to his wives was only twelve *Ûqiyahs* and a Nash.' She asked, 'Do you know what a Nash is?' I replied, 'No.' She said, 'half an *Ûqiyah*. This would make 500 Dirhams (because the amount of one *Ûqiyah* equals forty Dirhams and the Nash equals twenty).' Related by Muslim.

١٠٦٣ ــ وَعَــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «لَمَّا تَزَوَّجَ عَلِيٌّ فَاطِمَةً ،
 قَـــالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَعْطِهَا شَيْئًا». قَالَ : مَا عِنْدِي شَيْءً .
 قَالَ : «فَأَيْنَ دِرْعُكَ الْحُطَمِيَّةُ ؟» رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1063. Ibn 'Abbâs (RAA) narrated, 'When 'Alî married Fâtimah, the Messenger of Allâh & said to him, 'Give her something (as dowry).' 'Alî replied, 'I have nothing (to give her).' The Messenger of Allâh & said to him, 'Where is your <u>Hutamiyah</u> mantle?' Related by Abû Dawûd and An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١٠٦٤ — وَعَــنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدِّهِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمُ : «أَيُّمَا امْرَأَة نُكِحَتْ عَلَى صَدَاق ، أَوْ حَبَاء ، أَوْ عِـــدَّة ، قَبْلَ عِصْمَةِ النِّكَاحِ ، فَهُوَ لَهَا ، وَمَا كُانَ بَعْدَ عِصْمَةِ النِّكَاحِ ، فَهُوَ لَهَا ، وَمَا كُانَ بَعْدَ عِصْمَةِ النِّكَاحِ ، فَهُوَ لِمَنْ أَوْ عَـــدَّة ، وَأَحَـــة أَنْ مَــا أَكْرِمَ الرَّجُلَ عَلَيْهِ ابْنَتُهُ ، أَوْ أُحْتُهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ النِّرْمَذيَّ .

1064. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather (RAA), that the Messenger of Allâh said, "When a woman gets married for a specified dowry, a gift (extra to her dowry) or a promise (to give her something) before contracting the marriage, it is hers, and what is (promised) after contracting the marriage, belongs

to whoever the promise was given to (whether to the woman or her guardian). The most honorable property a man is given is that which he gets on account of his daughter or sister's marriage." Related by Ahmad and the four Imâms except At-Tirmidhî.

١٠٦٥ ـــ وَعَـــنْ عَلْقَمَةَ ، عَنِ ابْنِ مَسْعُود : أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً ، وَلَمْ يَفْرِضْ لَهَا صَدَاقً ، وَلَمْ اصْدَاقً ، وَلَمْ اصْدَاقً ، وَلَمْ اصْدَاقً ، لاَ وَكُسَ وَلاَ شَطَطَ ، وَعَلَيْهَا الْعدَّةُ ، وَلَهَا الْميرَاتُ ، فَقَامَ مَعْقلُ بِنُ سِنَانَ اللهُ عَلَيْهِ وَسَلَّمَ فِي بَرْوَعَ بِنْتَ وَاشْقُ الْمَشْرَاتُ ، وَلَمَا الْمَدِرَاتُ ، فَقَالَ بَنُ سِنَانَ الْأَشْسَجَعِيُّ فَقَــالَ : قَضَى رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ فِي بَرْوَعَ بِنْتَ وَاشْقُ - امْــرَأَةً مِنَّا - مِثْلُ مَا قَضَيْتَ . فَفَرِحَ بِهَا ابْنُ مَسْعُودٍ . رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمَذِيُّ ، وَحَسَّنَهُ جَمَاعَةً .

1065. 'Alqamah narrated on the authority of Ibn Mas'ûd, 'He was asked about a man who had married a woman but had not specified his wife's amount of dowry until he died before the consummation. Ibn Mas'ûd said, 'She deserves the usual amount of marriage dowry given to similar brides (of the same standard of living), no more and no less. She must also observe 'Iddah'315 (for four months and ten days, as it is the 'Iddah' observed after the death of the husband), before marrying again and she is also entitled to inheritance. Thereupon Ma'qal bin Sinân al-Ashja'î got up and said, 'This is the judgment of the Prophet in the case of a woman called Barwa' bint Wâshiq –a woman of my people- as what you judged.' Ibn Mas'ûd was very happy about what he heard.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as Sahîh.

١٠٦٦ ـــ وَعَـــنْ حَابِرِ بْنِ عَبْداللّهِ - رَضِيَ اللّهُ عَنْهُمَا - : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : «مَـــنْ أَعْطَى فِي صَدَاقِ امْرَأَةٍ سُوَيْقًا ، أَوْ تَمْرًا ، فَقَدْ اسْتَحَلَّ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَشَارَ إِلَى تَرْجِيحِ وَقْفِهِ .

<sup>315-</sup> A woman's post marital waiting period whether after divorce (to verify that she is not pregnant) or out of mourning (after the husband's death), before she can remarry.

1066. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, "If anyone gives a dower to a woman in the form of some flour or dates, he has made her lawful for him." Related by Abû Dawûd.

١٠٦٧ ــ وَعَـــنْ عَبْدِاللّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ ، عَنْ أَبِيهِ ، - رَضِيَ اللّهُ عَنْهُ - : أَنَّ النَّسِيَّ صَــلَى اللَّهِ عَلْمَ عَنْهُ - : أَنَّ النَّرْمِذِيُّ صَــلَى اللَّهِ عَلَيْنِ . أَخْرَجَهُ التَّرْمِذِيُّ وَصَحَّحَهُ ، وَخُولفَ في ذَلكَ .

1067. 'Abdullâh bin 'Âmir bin Rabî'ah narrated on the authority of his father (RAA) that the Messenger of Allâh  $\frac{1}{2}$  gave his approval to the marriage of a woman for two sandals as dowry.' Related by At-Tirmidhî and graded it as  $\underline{Sah}\hat{\imath}h$ . Some scholars disagreed with him.

١٠٦٨ ــ وَعَنْ سَهْلِ بْنِ سَعْد - رَضِيَ اللَّهُ عَنْهُ - قَالَ: «زَوَّجَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ رَجُلاً امْرَأَةً بِخَاتَمٍ مِنْ حَدِيدٍ». أَخْرَجَهُ الْحَاكِمُ ، وَهُوَ طَرَفْ مِنَ الْحَدِيثِ الطَّويلِ الْمُتَقَدِّم فِي أُوْائِلِ النِّكَاحِ .

1068. Sahl bin Sa'd (RAA) narrated, 'The Messenger of Allâh married a man to a woman for a dower of an iron ring.' Related by Al-Hâkim (part of the long hadîth presented earlier, 1007).

١٠٦٩ ــ وَعَـــنْ عَلِيَّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لاَ يَكُونُ الْمَهْرُ أَقَلُ مِنْ عَشَرَةِ دَرَاهِمَ». أُخْرَجَهُ الدَّارَقُطْنِيُّ مَوْقُوفًا ، وَفِي سَنَدِهِ مَقَالٌ .

1069. 'Alî (RAA) narrated 'The dower should not be less than ten Dirhams.' Related by Ad-Dâraqutnî with a defected chain of narrators.

١٠٧٠ ـــ وَعَنْ عُقْبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «خَيْرُ الصَّدَاقِ أَيْسُرُهُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1070. 'Uqbah bin 'Âmir (RAA) narrated that the Messenger of Allâh ﷺ said, "**The best dower is the easiest one.**" Related by Abû Dawûd. Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١٠٧١ ــ وَعَـــنْ عَائِشَةُ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ عَمْرَةُ بِنْتَ الْجَوْنِ تَعَوَّذُتْ مِنْ
 رَسُولِ اللَّهِ حِينَ أُدْخِلَتْ عَلَيْهِ ، - تَعْنِي لَمَّا تَزَوَّجَهَا - فَقَالَ : «لَقَدْ عُذْتِ بِمُعَادْ»
 فَطَلَّقَهَــا ، وَأَمَــرَ أُسَــامَةً فَمَتَّعَهَا بِثَلاَثَةِ أَثْوَابٍ . أَخْرَجَهُ ابْنُ مَاجَةُ ، وَفِي إِسْنَادِهِ
 رَاوِ مَثْرُوكٌ .

1071. 'Â'ishah (RAA) narrated that 'Amrah bint al-Jawn sought refuge in Allâh from Allâh's Messenger when she entered his presence –i.e. when he married her- and he said to her, "You have sought refuge in The One in Whom men seek refuge." So he divorced her, and commanded Usâmah to give her three garments as a gift (i.e. her amenity payment). Related by Ibn Mâjah but there is an unreliable narrator in its chain.

١٠٧٢ ــ وَأَصْلُ الْقِصَّةِ فِي الصَّحِيحِ مِنْ حَدِيثِ أَبِي أَسِيدِ السَّاعِدِيُّ .

1072. There is a similar narration in <u>Sahîh</u> al-Bukhârî on the authority of Abû Usaid as-Sâ´idî.

#### بَابُ الْوَلِيمَة

#### Chapter V: The Wedding Banquet (Walîmah)

١٠٧٣ ــ عَنْ أَنَسِ بْنِ مَالِكَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَأَى عَلَـــى عَبْدَالرَّحْمَنِ بْنِ عَوْف أَثْرَ صُفْرَة ، فَقَالَ : «مَا هَذَا ؟» قَالَ : يا رَسُولَ اللَّــهِ ، إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزُّن نَوَاةٍ مِنْ ذَهَبٍ . قَالَ : «فَبَارَكَ اللَّهُ لَكَ ، أُولِمْ وَلَوْ بِشَاةٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1073. Anas bin Mâlik (RAA) narrated that the Messenger of Allâh saw 'Abdur Rahmân bin 'Auf with traces of saffron on his clothes. He thereupon asked him, "What is that?" 'Abdur Rahmân answered, 'I married an Ansârî woman for a Nawât (five Dirhams) of gold.' The Messenger of Allâh said to him, "May Allâh bless you. Make a Walîmah (wedding banquet) even with only one sheep." Agreed upon and the wording is from Muslim.

١٠٧٤ ـــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالُ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالُ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دُعِيَ أَحَدُكُمْ إِلَى الْوَلِيمَةِ فَلْيَأْتِهَا». مُتَّفَقٌ عَلَيْهِ .
 وَلِمُسْلِم : «إِذَا دَعَا أَحَدُكُمْ أَخَاهُ فَلْيُحِبْ ، عُرْسًا كَانَ أَوْ نَحْوَهُ».

1074. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "When one of you is invited to a Walîmah, he should accept the invitation." Agreed upon.

In a version by Muslim, "When one of you is invited by his brother, he must accept the invitation, whether it be a wedding banquet or something similar."

١٠٧٥ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «شَرُّ الطَّعَامِ طَعَامُ الْوَلِيمَةَ يَمْنَعُهَا مَنْ يَأْتِيَهَا ، وَيُدْعَى إِلَيْهَا مَنْ يَأْبَاهَا ، وَمَنْ لَمْ يُجِبِ الدَّعْوَةَ ، فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ». أَخْرَجَهُ مُسْلِمٌ .

1075. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "The worst food is that of a Walîmah from which is turned away whoever comes to it (i.e. the poor), and to which is invited whoever refuses (to come, i.e. the rich). He who does not accept the invitation has disobeyed Allâh and His Messenger." Related by Muslim.

١٠٧٦ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا دُعِــيَ أَحَدُكُمْ فَلْيُحِبْ ، فَإِنْ كَانَ صَائِمًا فَلْيُصَلِّ ، وَإِنْ كَانَ مُفْطِرًا فَلْيَطْعَمْ».
 أَخْرَجَهُ مُسْلَمٌ أَيْضًا .

1076. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If anyone is invited (to a Walîmah) he must accept the invitation. If he is fasting, he should invoke Allâh (i.e. making invocation for the one who invited him), and if he is not fasting, he should eat." Related by Muslim.

1077. Muslim has also transmitted on the authority of Jâbir a similar tradition that goes, "If he wishes to eat he could do so, and if he does not he may abstain from eating."

١٠٧٨ ــ وَعَـــنِ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَمْ وَسَـــلَّمَ : «طَعَامُ الْوَلِيمُةِ أُوَّلَ يَوْمٍ حَقِّ ، وَطَعَامُ يَوْمٍ النَّانِي سُننَّةٌ ، وَطَعَامُ يَوْمِ النَّالِيثِ سُــمْعَةٌ ، وَمَـــنْ سَمَّعَ اللَّهُ بِهِ». رَوَاهُ التِّرْمِذِيُّ وَاسْتَغْرَبَهُ ، وَرِحَالُهُ رِجَالُهُ وَجَالُهُ الصَّحِيحِ .

1078. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "The food of a Walîmah offered on the first day (of marriage) is a duty, and that offered on the second day is Sunnah (i.e. just preferable) and the food of the third day is a sign of showing off (and hypocrisy), if anyone does something just to show off, Allâh will slander him³¹¹⁶ (publicly in this life or in the Hereafter)." Related by At-Tirmidhî.

١٠٧٩ ـــ وَلَهُ شَاهِدٌ عَنْ أَنْسِ عِنْدَ ابْنِ مَاجَهُ .

1079. A similar tradition is related by Ibn Mâjah on the authority of Anas.

١٠٨٠ ـــ وَعَنْ صَفِيَّةً بِنْتِ شَيْبَةً - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أَوْلَمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى بَعْضِ نِسَائِهِ بِمُدَّيْنِ مِنْ شَعِيرِ». أخْرَجَهُ الْبُحَارِيُّ .

1080. Safiyah bint Shaibah (RAA) narrated that the Messenger of Allâh se gave a banquet with two *Mudds* of barley when he married some of his wives.' Related by al-Bukhârî.

١٠٨١ ـــ وَعَـــنْ أَنَسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَقَامَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَـــيْنَ خَيْبَرَ وَالْمَدينَةِ ثَلاَثَ لَيَالَ يُبْنَى عَلَيْهِ بِصَفِيَّةَ ، فَدَعَوْتُ الْمُسْلِمِينَ إِلَى وَلِيمَتِهِ ، فَمَـــا كَــانَ فِيهَا مِنْ خُبُرْ وَلاَ لَحْمٍ ، وَمَا كَانَ فِيهَا إِلاَّ أَنْ أَمَرَ بِالأَنْطَاعِ فَبُسِطَتْ ، فَأَلْقِيَ عَلَيْهَا التَّمْرُ وَالأَقْطُ وَالسَّمْنُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُحَارِيِّ .

<sup>316-</sup> Imâm Al-Bukhârî said that the Messenger of Allâh ﷺ did not specify a day for the *Walimah*, and for those who could not come the first day could come later, unless what he means in this <u>Hadîth</u> is those who doe it for the sake of showing off and out of hypocrisy and not to follow the *Sunnah*.

1081. Anas (RAA) narrated, 'The Messenger of Allâh stayed for three nights at a place between Khaibar and Madînah, and there he consummated his marriage with Safiyah. I invited the Muslims to his Walîmah that included neither meat nor bread. It was only that the Prophet ordered that some dining sheets be spread, and dates, dried cheese and clarified butter were provided on it.' Agreed upon and the wording is from al-Bukhârî..

١٠٨٢ ــ وَعَـــنُ رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا احْتَمَعَ دَاعِـــيَانِ ، فَأَجِـــبُ أَقْـــرَبَهُمَا بَابًا ، فَإِنْ سَبَقَ أَحَدُهُمَا فَأَجِبِ الَّذِي سَبَقَ». رَوَاهُ آبُو دَاوُدَ ، وَسَنَدُهُ ضِعِيفٌ .

1082. A Companion narrated that the Prophet said, "If two people invite you at the same time to a Walimah, accept the invitation of the one whose door is closer to you (i.e. the closest neighbor). But if one of them comes before the other, accept the invitation of the one who came first." Related by Abû Dawûd with a weak chain of narrators.

١٠٨٣ ـــ وَعَـــنْ أَبِي جُحَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ آكُلُ مُتَّكِئًا». رَوَاهُ الْبُحَارِيُّ .

1083. Abû Ju<u>h</u>aifah (RAA) narrated that the Messenger of Allâh said, "I do not eat while I am reclining." Related by Al-Bukhârî.

١٠٨٤ ــ وَعَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ قَالَ : قَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا غُلاَمُ ، سَمِّ اللَّهَ ، وَكُلُّ بِيَمِينكَ ، وَكُلْ مِمَّا يَلِيكَ». مُتَّفَقٌ عَلَيْهِ .

1084. Umar bin Abû Salamah narrated that the Messenger of Allâh said to me, "Young man, say Bismillâh (mention the Name of Allâh) before you eat, eat with your right hand and eat from what is next to you." Agreed upon.

١٠٨٥ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتِيَ بِقَصْعَةٍ مِنْ ثَرِيدٍ ، فَقَـــالَ : « كُلُوا مِنْ حَوَانِبِهَا ، وَلاَ تَأْكُلُوا مِنْ وَسَطِهَا ، فإِنَّ

1085. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ was brought a bowl of *Tharîd* (crumbled bread, soup and meat), so he said, "Eat from the sides and not from the middle (of the dish) for the blessing descends in the middle of it." Related by the four Imâms with a sound chain of narrators. The wording is from an-Nasâ'î.

١٠٨٦ \_ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَا عَابَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : «مَا عَابَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَّهُ عَلَيْهُ وَسَــلَّمَ طَعَامًا قَطَّ ، كَانَ إِذَا اشْتَهَى شَيْئًا أَكَلَهُ ، وَإِنْ كَرِهَهُ تَرَكَهُ». مُتَّفَقٌ عَلَيْهِ .

1086. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh mever showed a sign of dissatisfaction towards any food (presented to him). When he liked something he would eat it, but if he disliked it he did not touch it." Agreed upon.

١٠٨٧ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَأْكُلُوا بالشِّمَاُل ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ بالشِّمَال». رَوَاهُ مُسْلمٌ .

1087. Jâbir (RAA) narrated that the Messenger of Allâh said, "Do not eat with your left hand, for the devil eats with his left hand." Related by Muslim.

١٠٨٨ \_ وَعَـــنْ أَبِــي قَتَادَةً - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا شَرِبَ أَحَدُكُمْ فَلاَ يَتَنَفَّسَ فِي الإِنَاءِ». مُتَّفَقٌ عَلَيْهِ .

1088. Abû Qatâdah (RAA) narrated that the Messenger of Allâh said, "When anyone of you drinks, he should not breathe into the vessel (he is drinking from)." Agreed upon.

١٠٨٩ ـــ وَلأَبِي دَاوُدَ ، عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - نَحَوُهُ ، وَزَادَ : «وَيَنْفُحْ فِيه». وَصَحَّحَهُ التِّرْمَذِيُّ .

1089. Abû Dawûd related a similar narration on the authority of Ibn 'Abbâs but with the addition, **"or blows in it."** At-Tirmidhî graded it as <u>Sahîh</u>.

### بَسابُ الْقُسْسِم

## Chapter VI: Sharing the Time (between two wives or more)

١٠٩٠ ــ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَم يَقْسِمُ لِنسَائِهِ فَيَعْدِلُ ، وَيَقُولُ : «اللَّهُمَّ هَذَا قَسْمِي فِيمَا أَمْلَكُ ، فَلاَ تَلُمْنِي فِيمَا تَمْلِكُ وَلاَ أَمْلِكُ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ ، ولَكِنْ رَجَّحَ التِّرْمِذِيُّ إِرْسَالَهُ .

1090. 'Â'ishah (RAA) narrated, 'Allâh's Messenger used to divide the nights between his wives equally, and would say, "O Allâh! This is my division in what I can control (i.e. the time). So, do not blame me in what You have control over but I don't (i.e. love and feelings)." Related by the four Imâms. Ibn Hibbân and al-Hâkim graded it as Sahîh, but at-Tirmidhî said that it is most probably Hadîth Mursal.

١٠٩١ ــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَلَــالَ : «مَنْ كَانَتْ لَهُ امْرَأَتَانَ فَمَالَ إِلَى إِحْدَاهُمَا ، جَاءَ يَوْمَ الْقِيَامَةِ وَشِقَّهُ مَاثِلٌ».
 رَوَاهُ أَحْمَدُ ، وَالأَرْبِعَةُ ، وَسَنَدُهُ صَحيحٌ .

1091. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whoever has two wives and inclines to one of them, will come on the Day of Judgment with one of his sides paralyzed." Related by Ahmad and the four Imâms with a sound chain of narrators.

١٠٩٢ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مِنَ السُّنَّة إِذَا تَزَوَّجَ الرَّجُلُ الْبِكْرَ عَلَـــى الثَّيُبِ ، أَقَامَ عِنْدَهَا سَبْعًا ، ثُمَّ قَسَمَ ، وَإِذَا تَزَوَّجَ الثَّيِّبَ أَقَامَ عِنْدَهَا ثَلاَثًا ، ثُمَّ قَسَمَ». مُتَّفَقٌ عَلَيْه ، وَاللَّفْظُ للْبُخَارِئِ .

1092. Anas (RAA) narrated, "It is part of the Sunnah of the Prophet \$\mathbb{x}\$ that if someone marries a virgin and he has already a matron, then he should stay with the virgin for seven days; and if

someone marries a matron, then he should stay with her for three days, and then he starts to take turns between them (equally).' Agreed upon and the wording is from Al-Bukhârî.

١٠٩٣ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا تَــزَوَّجَهَا أَقَـــامَ عِنْدَهَا ثَلاَثًا ، وَقَالَ : «إِنَّهُ لَيْسَ بِكِ عَلَى أَهْلِكِ هَوَانٌ ، إِنْ شِئْتِ سَبَّعْتُ لِنِسَائِي». رَوَاهُ مُسْلِمٌ .
 سَبَّعْتُ لَكِ ، وَإِنْ سَبَّعْتُ لَكِ سَبَّعْتُ لِنِسَائِي». رَوَاهُ مُسْلِمٌ .

1093. Umm Salamah (RAA) narrated, 'When the Messenger of Allâh married her, he stayed with her for three nights and then said, "You will get all your rights fully with me. If you wish I shall spend seven nights with you, but if I spend seven nights with you, I have to spend the same time with all the other wives (i.e. anyone he marries who is a matron, he will spend seven nights with her. But the rule that was set by the Prophet is that the virgin is entitled to seven nights and the matron to three)." Related by Muslim.

١٠٩٤ ـــ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – : «أَنَّ سَوْدَةَ بِنْتَ زَمْعَةً وَهَبَتْ يَوْمَهَا لِعَائِشَــةً ، وَكَـــانَ النَّـــبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْسِمُ لِعَائِشَةَ يَوْمَهَا وَيَوْمَ سَوْدَةَ». مُتَّفَقٌ عَلَيْه .

1094. 'Â'ishah (RAA) narrated that Saudah the wife of Allâh's Messenger gave up her turn to 'Â'ishah (RAA). So the Prophet used to stay with 'Â'ishah on her night, and the night that was originally given to Saudah.' Agreed upon.

١٠٩٥ ــ وَعَــنْ عُــرْوَةَ - رَضِــيَ اللَّهُ عَنْهُ - قَالَ : قَالَتْ عَائِشَةُ - رَضِيَ اللَّهُ عَـنْهَ اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يُفَضِّلُ بَعْضَنَا عَــنْهَا - : «يَا ابْنَ أَخْتِي ، كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لاَ يُفَضِّلُ بَعْضَنَا عَلَى بَعْضِ فِي الْقَسْمِ مِنْ مَكْثَهِ عِنْدَنَا ، وَكَانَ قَلَّ يَوْمٌ إِلاَّ وَهُو يَطُوفُ عَلَيْنَا جَمِيعًا ، فَلَي بَعْضِ فِي الْقَسْمِ مِنْ مَكْثَهِ عِنْدَنَا ، وَكَانَ قَلَّ يَوْمٌ إِلاَّ وَهُو يَطُوفُ عَلَيْنَا جَمِيعًا ، فَصَدَدْتُو مِنْ كُلِّ امْرَأَة مِنْ غَيْرٍ مَسيسٍ ، حَتَّى يَبْلُغَ النِّي هُو يَوْمُهَا ، فَيَبِيتُ عِنْدَهَا».
رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ - وَاللَّفْظُ لَهُ - وَصَحَحْهُ الْحَاكُمُ .

1095. 'Urwah (RAA) narrated that 'Â'ishah (RAA) said, 'My

sister's son, the Messenger of Allâh would not give preference to one of his wives over the others as to the division of the nights he spends (with each of us) and he was just. It was very rare that a day would pass without him visiting each one of us. He would come close to each one he is visiting(cuddling or kissing) but would not have intercourse with her, until he is in the house of the wife whose turn is that night, then he would spend the night there.' Related by Ahmad and Abû Dawûd and the wording is his. Al-Hâkim graded it as Sahîh.

١٠٩٦ ـــ وَلِمُسْلِمٍ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا صَلَّى الْعَصْرَ دَارَ عَلَى نِسَائِهِ ، ثُمَّ يَدْنُو مِنْهُنَّ .» الْحَدِيثَ .

1096. Muslim transmitted on the authority of 'A'ishah (RAA) that she said, 'When The Messenger of Allâh prayed 'Asr, he would visit all of his wives, coming close to each of them but...(as the hadîth above).'

١٠٩٧ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَسْأَلُ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ : «أَيْنَ أَنَا غُدًا ؟» - يُرِيدُ يَوْمَ عَائِشَةَ - فَأَذِنَ لَهُ أَزْوَاجُهُ يَكُونُ حَيْثُ شَاءَ ، فَكَانَ فِي بَيْتِ عَائِشَةَ . مُتَّفَقٌ عَلَيْهِ .

1097. 'Â'ishah (RAA) narrated, 'During the fatal illness of the Messenger of Allâh he used to ask his wives, "Where shall I stay tomorrow? (meaning with which wife) He meant to ask about 'Â'ishah's turn. His wives therefore permitted him to go where he wished, so he stayed in 'Â'ishah's house (until he died there).'Agreed upon.

١٠٩٨ ـــ وَعَنْهَا قَالَتْ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ سَفْرًا أَقْرَعَ بَيْنَ نِسَائِهِ ، فَأَيْتُهُنَّ خَرَجَ سَهْمُهَا ، خَرَجَ بِهَا مَعَهُ». مُتَّفَقٌ عَلَيْهِ .

1098. 'Â'ishah (RAA) narrated, 'When the Messenger of Allâh intended to go on a journey, he would draw lots. The one whose lot came out, would go with him on the journey.' Agreed upon. ١٠٩٩ ـــ وَعَـــنْ عَبْداللَّهِ بْنِ زَمْعَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحْلَدُ أَحَدُكُمُ امْرَأَتَهُ جَلْدَ الْعَبْدِ». رَوَاهُ البُّخَارِيُّ .

1099. 'Abdullâh bin Zam'ah (RAA) narrated that the Messenger of Allâh ﷺ said, "None of you should ever beat his wife as he would whip his slave...."317 Related by Al-Bukhârî.

## بَسابُ الْسخُلْسعِ

# Chapter VII: Khul'a<sup>318</sup> (Divorce at the Wife's instance By giving a payment to the husband)

١١٠٠ عن ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ امْرَأَةَ ثَابِت بْنِ قَيْسٍ أَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ ، ثَابِتُ بْنُ قَيْسٍ مَا أَعِيبُ عَلَيْهِ فِي خُلُقِ وَسَلَّمَ : وَلاَ دِينِ ، وَلَكَنِّي أَكْرَهُ الْكُفْرَ فِي الإِسْلاَمِ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَتَـرُدُّينَ عَلَيْهِ حَدِيقَتَهُ ؟» فَقَالَتْ : نَعَمْ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اقْبَلِ الْحَديقَة وَطَلَّقْهَا تَطْلِيقَةً». رَوَاهُ البُخارِيُّ .
 وفي روايَة لَهُ : «وَأَمْرَهُ بِطَلاَقِهَا».

1100. Ibn 'Abbâs (RAA) narrated, 'The wife of Thâbit bin Qais came to the Prophet and said, 'O Messenger of Allâh! I have no complaint against Thâbit in terms of his religion or morals, but what I fear is falling into disbelief after coming to Islâm (what she means is being ungrateful to her husband as she is not satisfied).

<sup>317-</sup> The rest of the hadîth says, "and then has sexual intercourse with her at the end of the day." (such behavior contradicts human nature, as this is an intimate relationship that requires love and affection between the spouses.)

<sup>318-</sup> Takes place when the woman is unhappy in her marriage, due to the husband's bad appearance or manners etc.., and wishes to be separated from him. So, separation between them takes place in return for remuneration given to the husband. She gives this amount of money upon which they agree (or gives him back his dower, or gives up all her financial rights, etc.. depending on the kind of agreement they make to let him release or divorce her.

The Messenger of Allâh said to her, "Will you give him back his garden?" She said, 'Yes.' The Messenger of Allâh said to him (the husband), "Take back the garden and make a single pronouncement of divorce (i.e. divorce her once)." Related by Al-Bukhârî. In another version by Al-Bukhârî, 'and he commanded him to divorce her.'

1101. Abû Dawûd and At-Tirmidhî transmitted that the wife of Thâbit bin Qais asked for *Khul'a* from her husband and the Messenger of Allâh  $\frac{1}{2}$  told her to wait for a single menstruation (as her Iddah).

1102. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather that Thâbit bin Qais looked very ugly and his wife said, 'If it was not for the fear of Allâh, I would have spat on his face when he entered my place.'319 Related by Ibn Mâjah.

1103. A $\underline{\mathbf{h}}$ mad transmitted on the authority of Sahl bin Abî  $\underline{\mathbf{H}}$ athmah, 'It was the first Khul'a in Islâm.'

<sup>319-</sup> She said in another narration, that she saw him walking among his companions, and found that he had the darkest skin, he was the shortest and the most ugly, so she feared Allâh in treating him badly or not giving him his rights and that is why she asked for Khul'a.

## بَسابُ الطَّسلاَق

#### Chapter VIII: Divorce

١١٠٤ ــ عَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلْبُهُ وَسَـــلَّمَ : «أَبْغَضُ الْحَلاَلِ إِلَى اللَّهِ الطَّلاَقُ». رَوَاهُ أَبُو دَاوُدَ ، وَابُنُ مَاجَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ أَبُو حَاتِم إِرْسَالَهُ .

1104. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "There is no lawful matter which is more detested by Allâh than divorce." Related by Abû Dawûd and Ibn Mâjah. Al-<u>H</u>âkim graded it as <u>Sah</u>îh.

١١٠٥ - وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّهُ طَلَقَ امْرَأَتَهُ وَهِيَ حَائِضٌ فِي عَهِدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَسَأَلَ عُمَرُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَسَأَلَ عُمَرُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَسِنْ ذَلَاكَ ، فَقَالَ : «مُرْهُ فَلْيُرَاجِعْهَا ، ثُمَّ لِيُمْسِكُهَا حَتَّى تَطْهُرَ ، ثُمَّ الْحَيْثَ ، ثُمَّ تَحيضَ ، ثُمَّ عَضْهُ ، فَتِلْكَ الْعِلَّةُ الَّتِي أَمَرَ عَظْهُرَ ، ثُمَّ إِنْ شَاء أَمْسَكَ بَعْدُ ، وَإِنْ شَاء طَلَّقَ قَبْلَ أَنْ يَمَسُّ ، فَتِلْكَ الْعِلَّةُ الَّتِي أَمَرَ اللَّهُ أَنْ تُطَلِّقَ لَهَا النَّسَاء ». مُتَّفَقٌ عَلَيْه .

1105. Ibn Umar narrated that he divorced his wife while she was menstruating during the lifetime of the Prophet . Umar asked the Prophet about that and he said, "Let your son take her back and keep her in wedlock until her menstrual period ends and then wait until she has the next period and when it (the period) ends, if he wishes to keep her, he can do so and if he wishes to divorce her, he can do so before having sexual intercourse with her. This is the prescribed period that Allâh has fixed for the woman to be divorced." Agreed upon.

1106. In a narration by Muslim, "Order him to take her back and then divorce her when she is (after the time of her period) either pure from menstruation or pregnant."

١١٠٧ ــ وَفِي رِوَايَةٍ أُخْرَى لِلْبُخَارِيِّ : «وَحُسِبَتْ تَطْلِيقَةٌ».

1107. In another version by Al-Bukhârî, 'It was counted as one declaration of divorce (i.e. divorcing her while she is menstrualting).'

١١٠٨ - وَفِي رِوَايَة لِمُسْلَمٍ: قَالَ ابْنُ عُمَرَ: «أَمَّا أَنْتَ طَلَقْتُهَا وَاحِدَةً أَوِ اثْنَتَيْنِ، فَ الله صَلَّى الله عَلَيْهِ وَسَلَّمَ أَمَرَنِي أَنْ أَرَاجِعَهَا ثُمَّ أَمْسِكَهَا حَتَّى تَحيضَ خَيْضَةً أُخْرَى ، ثُمَّ أَمْهِلَهَا حَتَّى تَطْهُرَ ، ثُمَّ أَطَلَقَهَا قَبْلَ أَنْ أَمَسَّهَا ، وَأَمَّا أَنْتَ طَلَقْتُهَا تَبْلَ أَنْ أَمَسَّهَا ، وَأَمَّا أَنْتَ طَلَقْتُهَا ثَلاَثًا ، فَقَدْ عَصَيْتَ رَبَّكَ فِيمَا أَمْرَكَ بِهِ مِنْ طَلاقِ امْرَأَتِكَ».

1108. In a narration by Muslim, Ibn 'Umar said (when he was asked him about the one who divorced his wife while she was having her menses), 'If you have made one or two declarations of divorce, Allâh's Messenger accommanded me to take her back and then wait until she has her next menses, and then wait until her period ends, and then divorce her before touching her (having sexual intercourse with her). But if you have pronounced the word of divorce three times (at the same time), then you have disobeyed Allâh and His Messenger in His command about divorcing your wife.'

١١٠٩ ــ وَفِـــي رِوَايَـــة أُخْرَى : قَالَ عَبْدُاللَّهِ بْنُ عُمَرَ : «فَرَدَّهَا عَلَيَّ ، وَلَمْ يَرَهَا شَيْئًا ، وَقَالَ : إِذَا طَهُرَتْ فَلْيُطَّلَقْ أَوْ لِيُمْسكَ».

1109. In another version, "Abdullâh Ibn 'Umar said, 'So he made her return to me and did not count this divorce (the one pronounced during her menses) and said, "When she is purified, he may divorce her or keep her."

١١١٠ ــ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «كَانَ الطَّلاَقُ عَلَى عَهْدِ رَسُــول اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبِي بَكْرٍ وَسَنَتَيْنِ مِنْ حِلاَفَةٍ عُمَرَ طَلاَقُ النَّلاَثُ وَالحَــدة ، فَقَــالَ عُمَرُ : إِنَّ النَّاسَ قَدِ اسْتَعْجَلُوا فِي أَمْرٍ كَانَتْ لَهُمْ فِيهِ أَنَاة ، فَلَوْ أَمْضَاهُ عَلَيْهِمْ ». رَوَاهُ مُسْلم .

1110. Ibn Abbâs (RAA) narrated, Threefold divorce (If one

states three pronouncements of divorce at the same time) was counted as only one divorce during the lifetime of the Prophet , Abû Bakr and two years of the Caliphate of Umar. Then Umar said, People have become hasty in a matter in which they used to take their time (i.e. divorce) before deciding on it. So, I wish if we implement it on them (count them as three divorces if they say at one time).' 320 So Umar implemented it. Related by Muslim.

١١١١ ــ وَعَــنْ مَحْمُودِ بْنِ لَبِيدِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أُخْبِرَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى مَخْمُودِ بْنِ لَبِيدِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أُخْبِرَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهُ عَلَيْقَاتِ جَمِيعًا ، فَقَامَ غَضْبَانَ ، ثُمَّ قَــالَ : «أَيُلْعَبُ بِكِتَابِ اللَّهِ وَأَنَا بَيْنَ أَظْهُرِكُمْ» ، حَتَّى قَامَ رَجُلٌ فَقَالَ : يَا رَسُولَ اللَّهِ ، وَرُواتُهُ مُونَقُونَ .
 اللَّهِ ، أَلاَ أَقْتُلُهُ ؟ رَواهُ النَّسَائِيُ ، وَرُواتُهُ مُونَقُونَ .

1111. Mahmûd bin Labîd (RAA) narrated, "The Messenger of Allâh a was told about a man who divorced his wife by making three pronouncements of divorce at the same time (threefold divorce). The Prophet a got up very angrily and said, "Are you playing games with Allâh's Book while I am among you?" A man got up and said, 'O Messenger of Allâh, shall I kill him?" Narrated by An-Nasâ'î with a sound chain of narrators.

١١١٢ ــ وَعَــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : طَلَّقَ أَبُو رُكَانَةَ أُمَّ رُكَانَـةً أُمَّ اللَّهُ عَلَيْهِ وَسَلَّمَ : «رَاجِعِ امْرَأَتَكَ». فَقَالَ : إِنِّي طَلَّقَتُهَا ثَلاَئًا . قَالَ : «قَدْ عَلَمْتُ ، رَاجعُهَا». رَوَاهُ أَبُو دَاوُدَ .

1112. Ibn 'Abbâs (RAA) narrated, 'Abû Rukânah divorced his wife (irrevocably). The Messenger of Allâh it thereupon said to him, "Take your wife back." Abû Rukânah then said, 'I have divorced her three times.' The Messenger of Allâh again said to him, "I know that. Take her back." Related by Abû Dawûd.

<sup>320-</sup> He means it as a punishment to let them think it over first, before pronouncing divorce three times at the same time.

١١١٣ ــ وَفِي لَفْظ لأَحْمَدُ : طَلَقَ أَبُو رُكَانَةُ امْرُأَتَهُ فِي مَحْلِسٍ وَاحِد ثَلاَثًا ، فَحَزِنَ عَلَيْهَا ، فَقَالَ لَهُ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ : «فَإِنّهَا وَاحِدَةٌ» ، وَفِي سَنَدهِمَا ابْنُ إِسْحَاقَ ، وَفِيهِ مَقَالٌ .

1113. In a narration by Ahmad, 'Abû Rukânah divorced his wife irrevocably (by making three pronouncements of divorce) in one sitting. He then became very sad. The Messenger of Allâh said to him, "It is considered as one(divorce)." There is a weak narrator in its chain.

١١١٤ ــ وَقَـــ دُرَوَى أَبُو دَاوُدَ مِنْ وَجُه آخَرَ أَحَسَنَ مِنْهُ : «أَنَّ رُكَانَةَ طَلَقَ امْرَأَتُهُ سُـــ هَيْمَةَ أَلْبَـــ تَّقَ ، فَرَدَّهَا إِلَيْهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ».
 عَلَيْهِ وَسَلَّمَ ».

1114. Abû Dawûd narrated with a stronger chain of narrators, Rukânah divorced his wife Suhaymah irrevocably. (When he went to the Messenger of Allâh phe said, "By Allâh, I only intended it to be one time (as one divorce)." The Messenger of Allâh returned her to him.

١١١٥ ــ وَعَـــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَّهِ وَسَــلَمَ : «ثَلاَتْ وَالْطَلاَقُ وَالرَّجْعَةُ».
 رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيُّ وَصَحَّحَهُ الْحَاكِمُ .

1115. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "(There are) three things when they are taken seriously they are considered as serious and when taken in jest, they are still taken seriously. (They are) marriage, divorce and revocation (of divorce)." Related by the four Imâms except for an-Nasâ'î. Al-Hâkim graded it as <u>Sahîh</u>.

١١١٦ ـــ وَفِـــي رِوَايَـــةٍ لابْـــنِ عَدِيٌّ مِنْ وَجْهٍ آخَرَ ضَعِيفٍ : «الطَّلاَقُ وَالْعِتَاقُ وَالنَّكَاحُ».

1116. In a narration by Ibn 'Adî with a weak chain of narrators, "(They are) divorce, manumitting and marriage."

١١١٧ ــ وَللْحَــارِثِ بْــنِ أَبِي أُسَامَةَ مِنْ حَدِيثِ عُبَادَةَ بْنِ الصَّامِتِ - رَضِيَ اللَّهُ عَـــنْهُمْ - رَفْعَــهُ : «لاَ يَجُوزُ اللَّعِبُ فِي ثَلاَثِ : الطَّلاَقِ وَالنَّكَاحِ وَالْعِتَاقِ ، فَمَنْ قَالَهُنَّ فَقَدْ وَحَبْنَ» وَسَنَدُهُ ضَعِيفٌ .

1117. Al-Hârith bin Abî Usâmah narrated on the authority of Ubâdah bin As-Sâmit (RAA) that the Messenger of Allâh said, It is not permissible to jest in three things: divorce, marriage and manumitting. Whoever mentioned them, they are binding." It is related with a weak chain of narrators.

١١١٨ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 قَـــالَ : «إِنَّ اللَّــة - تَعَالَى - تَجَاوَزَ عَنْ أُمَّتِي مَا حَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَعْمَلْ أَوْ
 تُكَلِّمْ». مُتَّفَقٌ عَلَيْهِ .

1118. Abû Hurairah, narrated that the Messenger of Allâh said, "Allâh, the Almighty has forgiven for my *Ummah* (nation) the thoughts that occur to their minds (what they speak within themselves), as long as they do not put them into action or express them verbally (utter them)." Agreed upon.

١١١٩ ــ وَعَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ
 وَسَـــلَّمَ قَالَ : «إِنَّ اللَّهَ - تَعَالَى - وَضَعَ عَنْ أُمَّتِي الْحَطَأَ وَالنِّسْيَانَ ، وَمَا اسْتُكْرِهُوا عَلَيْهِ». رَوَاهُ ابْنُ مَاجَةْ ، وَالْحَاكِمُ ، وَقَالَ أَبُو حَاتِم : لاَ يَثْبُتُ .

1119. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Allâh has forgiven my *Ummah* their (wrong actions), which are due to error or oblivion, and for what they do under coercion." Related by Ibn Mâjah and al-<u>H</u>âkim.

١١٢٠ ـــ وَعَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «إِذَا حَرَّمَ امْرَأَتَهُ لَيْسَ بِشَيْءٍ ، وَقَالَ : {لَقَدْ كَانَ لَكُمْ فِي رَسُولُ اللَّهِ أُسْوَةٌ حَسَنَةٌ}». رَوَاهُ الْبُخَارِيُّ .

1120. Ibn 'Abbâs (RAA) narrated, 'If a man takes an oath that

his wife is prohibited(unlawful) to him,<sup>321</sup> it is not to be considered as anything (i.e. not considered as a divorce). Verily you have a good example in the Messenger of Allâh ... Related by Al-Bukhârî.

1121. Ibn 'Abbâs (RAA) narrated, 'If a man takes an oath that his wife is prohibited (unlawful) to him, he should offer an expiation for his oath.' Related by Muslim.

١١٢٢ ــ وَعَـــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ ابْنَةَ الْحَوْنِ لَمَّا أَدْخِلَتْ عَلَى رَسُــولِ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَدَنَا مِنْهَا قَالَتْ : أَعُوذُ بِاللَّهِ مِنْكَ . فَقَالَ : «لَقَدْ عُذَّتِ بِعَظِيمٍ ، الْحَقِي بِأَهْلِكِ». رَوَاهُ الْبُخَارِيُّ .

1122. 'Â'ishah (RAA) narrated, 'When the daughter of Al-Jawn entered the presence of the Messenger of Allâh , and he went near her, she said, 'I seek refuge in Allâh from you.' He replied, 'You have sought refuge in the One Who is Great. Rejoin your kin.<sup>322</sup> Related by Al-Bukhârî.

١١٢٣ ـــ وَعَـــنْ جَابِـــر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «لاَ طَــــلاَقَ إِلاَّ بَعْـــدَ نِكَاحٍ ، وَلاَ عِنْقَ إِلاَّ بَعْدَ مِلْكٍ». رَوَاهُ أَبُو يَعْلَى ، وَصَحَّحَهُ الْحَاكِمُ ، وَهُوَ مَعْلُولٌ .

1123. Jâbir (RAA) narrated that the Messenger of Allâh said, "No divorce is to be considered except after marriage (has taken place),323 and no emancipation is considered exce-

<sup>321-</sup> Meaning he would not touch her or have any sexual relationship with her.

<sup>322-</sup> She was divorced in this case, as the Messenger of Allâh 3 meant to divorce her.

<sup>323-</sup> Such as a man saying that any woman I marry from that family or tribe will be divorced, even before he marries any of them. This is not considered as a divorce as marriage has not yet taken place.

pt after the actual owning(of the slave)." Related by Abû Ya'lâ, and al-<u>H</u>âkim graded it as <u>Sah</u>îh, but the <u>H</u>adîth is defective.

١١٢٤ ـــ وَأَخْــرَجَ ابْنُ مَاحَةً عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ مِثْلَهُ ، وَإِسْنَادُهُ حَسَنٌ ، لَكِئَهُ مَعْلُولٌ أَيْضًا .

1124. Ibn Mâjah related the same narration on the authority of AI-Miswar bin Makhramah, with a reasonable chain of narrators, but it is also defective.

١١٢٥ ــ وَعَــنُ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَذْرَ لابْنِ آدَمَ فِيمَا لاَ يَمْلِكُ ، وَلاَ عَنْقَ لَهُ فِيمَا لاَ يَمْلِكُ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتَّرْمِذِيُّ وَصَحَّحَهُ ، وَتُقِلَ عَنْ البُخَارِيُّ أَنَّهُ أَصَحُ مَا وَرَدَ فِيهِ .

1125. 'Amro bin Shu'aib narrated on the authority of his father on the authority of his grandfather that the Messenger of Allâh said, "No human being may make a vow about something which he does not possess, or emancipate someone who he does not possess, or divorce someone who is not his (wife)." Related by Abû Dawûd and At-Tirmidhî who graded it as <u>Sahîh</u>. al-Bukhârî commented that it is the most sound <u>Hadîth</u> on this subject.

١١٢٦ ــ وَعَــنُ عَائشَــةَ - رَضِيَ اللّهُ تَعَالَى عَنْهَا - : عَنِ النّبِيِّ صَلّى اللّهُ عَلَيْهِ وَسَــلّمَ قَالَ : «رُفِعَ الْقَلَمُ عَنْ ثَلاَثَة : عَنِ النّائِمِ حَتّى يَسْتَيْقِظَ ، وَعَنِ الصّغيرِ حَتّى يَكْــبُرَ ، وَعَنِ الْمَحْنُونِ حَتّى يَعْقِلَ أُوْ يَفِيقَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ التَّرْمِذِيَّ ، وَصَحَّحَهُ الْحَاكُمُ ، وَأَخْرَحَهُ ابْنُ حَبَّانَ .

1126. 'Â'ishah (RAA) narrated that 'Allâh's Messenger & said, "There are three (people) who are not blamed for their actions: the sleeping person until he wakes up, the child until he becomes mature, and the insane person until he comes back to sanity or becomes conscious." Related by Ahmad and the four Imâms except for At-Tirmidhî. Al-Hâkim graded it as Sahîh.

### بَسابُ السرَّجْعَسة

#### Chapter IX: Raj'ah (Taking Back A Divorced Wife)

١١٢٧ - عَـــنْ عِمْــرَانَ بْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ سُئِلَ عَنِ الرَّجُلِ يُطَلِّقُ الْمَــرَأَتَهُ ، ثُـــمَّ يُــرَاحِعُ وَلاَ يَشْهِدُ ، فَقَالَ : «أَشْهِدْ عَلَى طَلاَقِهَا وَ عَلَى رَجْعَتِهَا».
 رَوَاهُ أَبُو دَاوُدَ هَكَذَا مَوْقُوفًا ، وَسَنَدُهُ صَحيحٌ .

1127. Imrân bin <u>Husain</u> (RAA) narrated that he was asked about the ruling of a man who divorces his wife and then takes her back without the attestation of witnesses. He said, 'Get witnesses for both her divorce and her raj'ah.' Related by Abû Dawûd with a sound chain of narrators.

١١٢٨ ـــ وَأَخْرَجَهُ الْبَيْهَقِيُّ بِلَفْظ : «أَنَّ عِمْرَانَ بْنَ حُصَيْنٍ – رَضِيَ اللَّهُ عَنْهُ – سُئِلَ عَمَّنْ رَاجَعَ امْرَأَتُهُ ، وَلَمْ يُشْهِدْ فَقَالَ : فِي غَيْرِ سُنَّةٍ ؟ فَلْيُشْهِدِ الآنَ». وَزَادَ الطَّبَرَانِيُّ فِي رِوَايَةٍ : «وَيَسْتَغْفِرِ اللَّهَ».

1128. It was also related by Al-Baihaqî with the wording, 'Imrân bin Husain (RAA) was asked about a man who took back his divorced wife without the attestation of witnesses. He replied, 'He did that without following the Sunnah (of the Prophet ﷺ), let him get the witnesses now.' Imâm At-Tabarânî had the addition, 'And ask for the forgiveness of Allâh.'

١١٢٩ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّهُ لَمَّا طَلْقَ امْرَأَتَهُ ، قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِعُمَرَ : «مُرْهُ فَلْيُرَاجِعْهَا». مُتَّفَقٌ عَلَيْه .

1129. Ibn 'Umar (RAA) narrated that when he divorced his wife, the Messenger of Allâh said to 'Umar (RAA), "Command him to take her back." Agreed upon.

## بَسابُ الإِيسلاَءِ وَالظَّهَارِ وَالْكَفُّارَةِ عَلَى اللهِ الإِيسلاَءِ وَالظَّهَارِ وَالْكَفُّارِةِ وَالْكَفُّارِةِ

#### Chapter X: Ilâ'<sup>324</sup>, <u>Dh</u>ihâr<sup>325</sup> and Kaffârah (Expiation)

١١٣٠ - عَـــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «آلَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهَا - قَالَتْ : «آلَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهَا - قَالَتْ : «آلَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَّــيْهِ وَحَرَّمَ ، فَجَعَلَ الْحَرَامَ حَالاًلاً ، وَجَعَلَ لِلْيَمِينِ كَفَّارَةً».
 رَوَاهُ النَّرْمِيذِيُّ ، وَرُوَاتُهُ تَقَاتٌ .

1130. 'Â'ishah (RAA) narrated, 'Allâh's Messenger took an oath not to approach his wives (made  $Il\hat{a}$ ) and prohibited (something which is not unlawful in itself). Then he went back and made this thing lawful (as it was originally) and offered an expiation for his oath.' Related by At-Tirmidhî, with a trustworthy chain of narrators.

١٦٣١ ـــ وَعَـــنِ ابْـــنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «إِذَا مَضَتْ أَرْبَعَةُ أَشْهُرٍ وَقَفَ الْمُولِي حَتَّى يُطَلَّقَ ، وَلاَ يَقَعُ عَلَيْهِ الطَّلاَقُ حُتَّى يُطَلِّقُ». أَخْرَجَهُ الْبُخَارِيُّ

1131. Ibn 'Umar (RAA) narrated, 'When the period of four months has expired (as stated in the Qur'ân), the husband either returns to his wife (has a normal relationship with her) or divorces her. And the divorce is not valid until the husband declares it himself.' Related by Al-Bukhârî.

١١٣٢ ـــ وَعَنْ سُلَيْمَانَ بِنْ يَسَارِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «أَدْرَكْتُ بِضْعَةَ عَشَرَ رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كُلَّهُمْ يَقِفُونَ الْمُولِي». رَوَاهُ الشَّافِعِيُّ. 1132. Sulaimân bin Yasâr (RAA) narrated, T met over ten

<sup>324-</sup> This is where the husband takes an oath that he will not approach his wife, i.e. not to have sexual intercourse with her, as a kind of discipline. The maximum period for the *Ilâ* as set by the Qur'ân is four months (Sûrah al-Bagarah, 2:226).

<sup>325-</sup> A practice that goes back to pre-Islâmic times. It is when the husband makes a statement to his wife like, 'You are to me like the back of my mother,' meaning never to approach her. For the Muslims Allâh prescribed an expiation to be offered by anyone who says such a thing, and it is not regarded as divorce.

Companions of the Prophet so who gave the husband a maximum of four months for the *Ilâ* (after which he should either divorce her or resume his relationship with her). Related by Ash-Shâfi î.

١١٣٣ — وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «كَانَ إِيْلاَءُ الْحَاهلِّيَةِ السَّنَةَ وَالسَّــنَتَيْنِ ، فَوَقَّتَ اللَّهُ أَرْبَعَةَ أَشْهُرٍ ، فَإِنْ كَانَ أَقَلَّ مِنْ أَرْبَعَةِ أَشْهُرٍ فَلَيْسَ بِإِيلاَءٍ». أَخْرَجَهُ الْبَيْهَقِيُّ .

1133. Ibn 'Abbâs (RAA) narrated, 'Ilâ' at the time of Jâhiliyah (pre-Islâmic period), used to continue for one or two years. Allâh revealed that it is not to exceed four months. If it continues for less than four months, then it is not considered Ilâ'.' Related by Al-Baihaqî.

١١٣٤ — وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – : أَنَّ رَجُلاً ظَاهَرَ مِنِ امْرَأَتِهِ ، ثُمَّ وَقَعَ عَلَيْهَا ، فَصَائَى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : إِنِّي وَقَعْتُ عَلَيْهَا قَبْلَ أَنْ أَكَفَّرَ ، قَالَ : «فَلاَ تَقْرَبْهَا حَتَّى تَفْعَلَ مَا أَمَرَكَ اللَّهُ بِهِ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ ، وَرَجَّحَ النَّرْمِذِيُّ ، وَرَجَّحَ النَّرْمِذِيُّ ، وَرَجَّحَ النَّرْمِذِيُّ ، وَرَجَّحَ النَّرْمِذِيُّ ، وَرَوَاهُ الْبَرَّارُ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى اللَّهُ تَعَالَى عَنْهُمَا – وَزَادَ فِيهِ : «كَفَرْ وَلاَ تَعُدْ».

1134. Ibn 'Abbâs (RAA) narrated, 'A man practiced <u>Dh</u>ihâr with his wife and then he had intercourse with her. He went to the Prophet and said, 'I had intercourse with her before making the prescribed expiation.' The Messenger of Allâh said to him, "Do not approach her until you do what Allâh ordered you to do." Related by the four Imâms and rendered as <u>Sahîh</u> by Attirmidhî. The narration of Al-Bazzâr is as follows, "Offer the prescribed expiation and do not do it again."

١١٣٥ ـــ وَعَنْ سَلَمَةَ بْنِ صَحْرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : دَخَلَ رَمَضَانُ ، فَحِفْتُ أَنْ أُصِيبَ امْرَأَتِي ، فَظَاهَرْتُ مِنْهَا ، فَانْكَشَفَ لِي شَيْءٌ مِنْهَا لَيْلَةً ، فَوَقَعْتُ عَلَيْهَا ، فَانْكَشَفَ لِي شَيْءٌ مِنْهَا لَيْلَةً ، فَوَقَعْتُ عَلَيْهَا ، فَقَلْتُ : مَا أَمْلِكُ إِلاَّ فَقَلَتُ لَا يُو صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حَرِّرْ رَقَبَةً» . فَقُلْتُ : مَا أَمْلِكُ إِلاَّ مِنَ رَقَبَةٍي ، فَالَ : «فَصُمْ شَهْرَيْنِ مُتَنَابِعَيْنِ» . قُلْتُ : وَهَلَ أَصَبْتُ الَّذِي أَصَبْتُ إِلاَّ مِنَ

الصِّسيَامِ . قَالَ : «أَطْعِمْ فَرَقًا مِنْ تَمْرِ سَتِّينَ مِسْكِينًا». أَخْرَحَهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاّ النَّسَائيَّ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْحَارُودِ .

1135. Salamah Ibn Sakhr (RAA) narrated, 'When the month of Ramadân\_came, I feared lest I should have intercourse with my wife (while fasting), so I made <u>Dhihâr</u> with her and told her that she is like the back of my mother. One night (in Ramadân) I saw something of her (body) so I had intercourse with her. The Messenger of Allâh said to me, "Free a slave." I said, 'I do not posses any but myself.' He again said, "Then fast for two consecutive months.' I said, 'Whatever I suffered was due to my fasting.' He said, "Feed sixty poor people one Faraq (a measure that equals 15 <u>Sâ</u>') of dates." Related by Ahmad and the four Imâms except for An-Nasâ'î. Ibn Khuzaimah and Ibn al-Gârûd graded it as <u>Sahîh</u>.

## بَــابُ اللِّـعَــانِ Chapter XI: Li'ân<sup>326</sup>

١١٣٦ ــ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «سَأَلَ فُلاَنٌ فَقَالَ : يَا رَسُولَ اللَّهِ عَ اللَّهِ عَلَى فَاحِشَة كَيْفَ يَصْنَعُ ؟ إِنْ تَكَلَّمَ تَكَلَّمَ اللَّهِ ، أَرَأَيْتَ أَنْ لَوْ وَجَدَ أَحَدُنَا امْرَأَتُهُ عَلَى فَاحِشَة كَيْفَ يَصْنَعُ ؟ إِنْ تَكَلَّمَ تَكَلَّمَ اللَّهِ ، أَرَأَيْتَ أَنْ يُعْدَ ذَلِكَ بِأَمْسِرٍ عَظِيمٍ ، وَإِنْ سَكَتَ سَكَتَ عَلَى مِثْلِ ذَلِكَ . فَلَمْ يُحِبْهُ ، فَلَمَّا كَانَ بَعْدَ ذَلِكَ

This takes place when a man accuses his wife of committing adultery without having four witnesses to support his claim. If he speaks publicly about it he will be considered as an accuser and will be given eighty lashes, which is the punishment for accusation of adultery. When this incident took place during the lifetime of the Prophet the verse of Li'an was revealed (24: 6-9), which states that a husband should swear four times (in front of the magistrate and in the presence of his wife) that he is telling the truth and the fifth time he says that may the curse of Allah be upon him if he is lying. And then she swears four times that he is lying about what he has charged her with and the fifth time she says that may the wrath of Allah be upon her if he is telling the truth. In this way he is no longer liable to be punished for false accusation and she is no longer liable to be punishment for adultery. By this, she is eternally prohibited for him and the child she is expecting (if any) is not his.

أَتَّاهُ فَقَالَ : إِنَّ الَّذِي سَأَلْتُكَ عَنْهُ قَدِ البَّلِيتُ بِهِ . فَأَنْزُلَ اللَّهُ الآيَاتِ فِي سُورَةِ النَّورِ ، فَتَلاَهُنَّ عَلَيْهِ ، وَوَعَظَهُ ، وَذَكَرَهُ ، وَأَخْبَرَهُ أَنَّ عَذَابَ الدُّنْيَا أَهْوَنُ مِنْ عَذَابِ الإِخْرَةِ ، فَتَلاَهُنَّ عَلَيْهِ ، وَوَعَظَهَا كَذَلُكَ ، قَسلالً : لا ، وَالسّذِي بَعَثَكَ بِالْحَقِّ مَا كَذَبْتُ عَلَيْهَا ، ثُمَّ دَعَاهَا فَوَعَظَهَا كَذَلُكَ ، قَالَتْ : لا ، وَالَّذِي بَعَثَكَ بِالْحَقِّ إِنَّهُ لَكَاذِبٌ ، فَبَدَأ بِالرَّجُلِ ، فَشَهِدَ أَرْبَعَ شَهَادَاتِ بِاللّهِ ، ثُمَّ ثَنَى بِالْمَرْأَةِ ، ثُمَّ فَرَقَ بَيْنَهُمَا». رَوَاهُ مُسْلِمٌ .

1136. Ibn 'Umar (RAA) narrated, 'A man asked, 'O Messenger of Allah! What do you see if someone from amongst us happened to find his wife committing adultery. What should he do? If he talks, he is talking of a grievous matter, and if remains silent, he is also keeping silent over a grievous matter. The Messenger of Allâh 🍇 did not answer him. Afterwards the man came again and said to Allâh's Messenger &, 'What I have asked you about is now my affliction (i.e. it actually happened to me; that he saw his wife committing adultery). Then Allâh, the Almighty revealed the verses of Sûrah an-Nûr, and the Messenger of Allâh & recited them for him, exhorted him and reminded him of Allâh, and told him that the torture of this present life is much less than the torture of the Hereafter. He (the man) said, 'No, by Him Who sent you with the truth! I did not tell a lie about her.' Then the Prophet ﷺ called her (the wife of that man) and exhorted her as well. She said, 'No, by Him Who sent you with the truth! He is a liar.' The Prophet 38 began with the man who made four testimonies by Allâh, and then the woman did the same, and then he separated them both (forever).' Related by Muslim.

١١٣٧ ــ وَعَــنْهُ - رَضِـــيَ اللَّهُ عَنْهُ - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لِلْمُتَلاَعِنَيْنِ : «حِسَابُكُمَا عَلَى اللَّهِ ، أَحَدُكُمَا كَاذِبْ ، لاَ سَبِيلَ لَكَ عَلَيْهَا قَالَ : يَا رَسُــولَ اللَّهِ ، مَــالِي ؟ فَقَالَ : «إِنْ كُثْتَ صَدَقْتَ عَلَيْهَا فَهُوَ بِمَا اسْتَحْلَلْتَ مِنْ وَسُلَّهَ وَاللَّهُ ، مُتَّفَقًا عَلَيْهَا وَهُو بِمَا اسْتَحْلَلْتَ مِنْ وَسُلَّهُ ، مُتَّفَقًا ، وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا ، فَذَاكَ أَبْعَدُ لَكَ مِنْهَا». مُتَّفَقًا عَلَيْهِ .

1137. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said to the couple involved in the case of Li'ân, "Your accounts will be with Allâh. One of you two is a liar. You have no

authority over her." The man said, 'O Messenger of Allâh! My property! The Messenger of Allâh are replied, "If you were telling the truth concerning her, that would be in return for what you have enjoyed of her, and if you were lying, that would be more remote to you than her returning to you (i.e. if he was lying about her, how would he take what he had given to her)." Agreed upon.

١١٣٨ ــ وَعَـــنْ أَنس - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَبْصِرُوهَا ، فَإِنْ جَاءَتْ بِهِ أَبْيَضَ سَبْطًا فَهُوَ لِزَوْجِهَا ، وَإِنْ جَاءَتْ بِهِ أَكْحَلَ جَعْدًا ، فَهُوَ لِزَوْجِهَا ، وَإِنْ جَاءَتْ بِهِ أَكْحَلَ جَعْدًا ، فَهُو لِلَّذِي رَمَاهَا بِهِ». مُتَّفَقٌ عَلَيْهِ .

1138. Anas (RAA) narrated that the Messenger of Allâh said, "Watch(for the baby that she will give birth to), if she gives birth to a child which is white with lank hair, then it is her husband's child, but if she gives birth to a child which is brown with curly hair then it is the child of the man her husband accused her of committing adultery with." Agreed upon.

١١٣٩ — وَعَسنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَسلَمَ أَمْسرَ رَجُلاً أَنْ يَضَعَ يَدَهُ عِنْدَ الْخَامِسَةِ عَلَى فِيهِ ، وَقَالَ : «إِنَّهَا مُوجِبَةٌ».
 رَوَاهُ أَبُو ذَاوُدَ وَالنَّسَائِيُّ ، وَرِجَالُهُ ثِقَاتٌ .

1139. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh & ordered a man to put his hand on his hand on the fifth testimony and said to him, "It would be the decisive one (which will bring Allâh's punishment and curse, and will separate them for ever)." Related by Abû Dawûd and An-Nasâ'î with a trustworthy chain of narrators.

١١٤٠ ــ وَعَـــنْ سَهْلِ بْنِ سَعْد - رَضِيَ اللَّهُ عَنْهُ - فِي قَصَّةِ الْمُتَلَاعَنَيْنِ ــ قَالَ : «فَلَمَّا فَرَغَا مِنْ تَلاَعَنْهُمَا قَالَ : كُذَبْتُ عَلَيْهَا يَا رَسُولَ اللَّهُ ، إِنْ أَمْسَكُتُهَا ، فَطَلَّقَهَا مُظَلَّقَهَا ، فَطَلَّقَهَا مَنْ تَبْلُ أَنْ يَأْمُرَهُ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْه وَسَلِّمَ ». مُتَّفَقٌ عَلَيْه .

1140. Sahl bin Sa'd (RAA) narrated concerning the case of the

couple involved in the Li'ân, When they had finished making their testimony, the man said. 'O Messenger of Allâh! If I keep her now as a wife with me, then I have told a lie about her.' The man then divorced thrice before Allâh's Messenger sordered him to do so.'327 Agreed upon.

١١٤١ ـــ وَعَـــنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَنْهُمَا : ﴿ وَسَلَّمَ فَقَالَ : إِنَّ امْرَأَتِي لاَ تَرُدُّ يَدَ لاَمِسٍ ، قَالَ : ﴿ غَرِّبْهَا » ، قَالَ : أَخَافُ أَنْ تَشْــبَعَهَا نَفْسِي . قَالَ : ﴿ فَاسْتَمْتِعْ بِهَا » . رَوَاهُ أَبُو دَاوُدَ ، وَالتِّرُمِذِيُّ ، وَالْبَزَّارُ ، وَرجَالُهُ ثَقَاتٌ .

وَأَخْــرَجَهُ النَّسَائِيُّ مِنْ وَجْهِ آخَرَ عَنِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - بِلَفْظٍ قَالَ : «طَلِّقْهَا» ، قَالَ : لاَ أُصْبِرُ عَنْهَا . قَالَ : «فَأَمْسكُنْهَا».

1141. Ibn 'Abbâs (RAA) narrated, 'A man came to the Prophet and said, 'I have a wife who does not keep the hand of the toucher (anyone who touches her) from her. The Prophet said to him, "Divorce her." The man replied, 'But I am afraid, I won't be able to keep away from her.' The Messenger of Allâh then said to him, "Then enjoy her (with that deficiency)." Related by Abû Dawûd, At-Tirmidhî and Al-Bazzâr with a trustworthy chain of narrators.

An-Nasâ'î related on the authority of Ibn 'Abbâs with a different chain of narrators, 'The Messenger of Allâh said to him, "Divorce her." He replied, 'I can not endure my desire for her.' The Messenger of Allâh then sad, "Then keep her."

١١٤٢ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَـــيّٰهِ وَسَلَّمَ يَقُولُ - حِينَ نَزَلَتْ آيَةُ الْمُتَلاَعِنَيْنِ - : «أَيُّمَا امْرَأَةٍ أَدْخَلَتْ عَلَى قَوْمٍ

<sup>327-</sup> The majority of scholars are of the opinion that separation takes place anyway by the end of the process of Li'an. As for what this man did, he was not ordered by the Prophet \$\mathscr{a}\$ to do so. His divorce only assured him of what had already taken place, which is their separation for ever.

مَـــنُ لَـــيْسَ مِنْهُمْ ، فَلَيْسُتُ مِنَ اللّهِ فِي شَيْء ، وَلَمْ يُدْخِلْهَا اللّهُ جَنْتَهُ ، وَأَيْمَا رَجُلِ جَحَــــدَ وَلَـــدَهُ - وَهُوَ يَنْظُرُ إِلَيْهِ - احْتَجَبَ اللّهُ عَنْهُ ، وَفَضَحَهُ عَلَى رُءُوسِ الأَوَّلِينَ وَالآخِرِينَ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1142. Abû Hurairah (RAA) narrated that he heard the Messenger of Allâh say when the verse of Li'ân was revealed, "Anyone who falsely claims a child to her family, while he does not belong to them, Allâh will have nothing to do with her (not to expect His Mercy) and will not let her enter His Paradise. And any man who denies paternity of his own child – while looking at him(i.e. he is certain that he is his child) Allâh will not let him look at Him (at Allâh) and shall disgrace him in the presence of all creation the first and the last (on the Day of Resurrection)." Related by Abû Dawûd and An-Nas-â'î and Ibn Mâjah. Ibn Hibbân graded it as Sahîh.

١١٤٣ ـــ وَعَنْ عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «مَنْ أَقَرَّ بِوَلَدِهِ طَرْفَةَ عَيْنٍ ، فَلَيْسَ لَهُ أَنْ يَنْفَيَهُ». أَخْرَجَهُ الْبَيْهَقِيُّ ، وَهُوَ حَسَنٌ مَوْقُوفٌ .

1143. 'Umar (RAA) narrated, 'Whoever acknowledges his paternity to his child, even for a second, he is not to deny him.' Related by Al-Baihaqî.

1128 سوَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ رَجُلاً قَالَ : يَا رَسُولَ اللَّهِ ، إِنَّ الْمُسرَأَتِي وَلَدَتْ غُلاَمًا أَسْوَدَ ، قَالَ : «هَلْ لَكَ مِنْ إِبلِ ؟» قَالَ : نَعَمْ . قَالَ : «فَمَا أَلُواتُهَا ؟» قَالَ : نَعَمْ . قَالَ : «فَلَ أَلُواتُهَا ؟» قَالَ : نَعَمْ . قَالَ : «فَأَنَّى أَلُواتُهَا ؟» قَالَ : نَعَمْ . قَالَ : «فَأَنَّى أَلُواتُهَا ؟» قَالَ : نَعَمْ . قَالَ : «فَأَنَّى ذَلِكَ ؟» قَالَ : لَعَلَّهُ نَزَعَهُ عِرْقٌ . قَالَ : «فَلَعَلَّ ابْنَكَ هَذَا نَزَعَهُ عِرْقٌ». مُتَّفَقٌ عَلَيْهِ . وَفَالَ فِي آخِرِهِ : «وَلَمْ يُرَخِّصْ لَهُ فِي وَفِي رَوَايَة لِمُسْلِمٍ : «وَهُوَ يُعَرِّضُ بِأَنْ يَنْفِيَهُ»، وَقَالَ فِي آخِرِهِ : «وَلَمْ يُرَخِّصْ لَهُ فِي الْإِنْتِفَاءِ مِنْهُ».

1144. Abû Hurairah (RAA) narrated, 'A man came to the Prophet sand said,'My wife gave birth to a black child.' The Prophet asked him, "Do you have camels?" The man replied, 'Yes.'

The Messenger of Allâh & asked him, "What color are they?"
The man replied, 'Red.' The Messenger of Allâh & asked him again, "Is there a gray one among them?" The man answered, 'Yes.' The Messenger of Allâh & then asked him. "Where has that (gray) one come from?" The man said, 'Maybe it is due to heredity.' The Prophet & said, "Maybe your latest son has this (black) color due to heredity."

In a version by Muslim, 'The man was intending to deny him.' And said at the end of the narration, 'Allâh's Messenger ﷺ did not allow him to deny him.'

## بَابُ الْعِلدَّةِ، وَالإِحْلدَادِ، وَالإِسْتِبْسِرَاءِ، وَعَيْسرُ ذَلِكَ Chapter XII: Iddah and Ihdad<sup>328</sup>

١١٤٥ \_ عَــنِ الْمِسْــورِ بْنِ مَحْرَمَةَ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ سُبَيْعَةَ الأَسْلَميَّةَ - رَضِــيَ اللَّهُ عَنْهَ - نُفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالِ ، فَجَاءَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ فَاسْــتَأْذَنَتُهُ أَنْ تَــنْكِحَ ، فَــأَذِنَ لَهَا ، فَنَكَّحَتْ». رَوَاهُ البُحَارِيُّ ، وَأَصْلُهُ فَى الصَّحيحَيْن .
 في الصَّحيحَيْن .

وَفِي لَفْظ : «أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةٌ». وَفِي لَفْظٌ لِمُسْلَمٍ : قَالَ الزُّهْرِيُّ : «وَلاَ أَرَى بَأْسًا أَنْ تَنَوَّجَ وَهِيَ فِي دَمِهَا ، غَيْرَ أَنَّهُ لاَ يَقْرُبُهَا زَوَجُهَا حَتَّى تَطْهُرَ».

1145. Al-Miswar bin Makhramah narrated that Subai'ah al-Aslamiyah(RAA) gave birth(to a child) a few nights after the death of her husband. She went to the Prophet sand asked his permission to get married, so he permitted her to do so and she did.'329 Related by Al-Bukhârî.

<sup>328-</sup> The woman whose husband has died refrains from adornments, perfumes, going out (except for a necessity) etc.. for a period of four months and ten days after the death of her husband which is her \*Tddah\*.

<sup>329-</sup> The 'Iddah' of the pregnant woman ends when she gives birth whether divorced or a widow.

In another narration, 'She gave birth forty nights after the death of her husband.'

In Muslim's version, Az-Zuharî said, 'I see nothing wrong with her getting married while she is still in her post birth bleeding but on condition that her husband does not touch her till she becomes pure.'

١١٤٦ \_ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «أُمِرَتْ بَرِيرَةُ أَنْ تَعْتَدَّ بِثَلاَثِ حِيَضِ». رَوَاهُ ابْنُ مَاجَهْ ، وَرُواتُهُ ثِقَاتٌ ، وَلَكِنَّهُ مَعْلُولٌ .

1146. 'Â'ishah (RAA) narrated, 'I commanded Barîrah to observe her 'Iddah for three menstrual periods.' Related by Ibn Mâjah.

١١٤٧ ـــ وَعَـــنِ الشَّعْبِيِّ ، عَنْ فَاطَمَةَ بِنْتِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - ، عَنِ النَّبِيِّ صَــــلَّى اللَّـــهُ عَلَـــيْهِ وَسَــــلَّمَ فِي الْمُطَلَّقَةِ ثَلاَثًا - : «لَيْسَ لَهَا سُكْنَى وَلاَ نَفَقَةٌ». رَوَاهُ مُسْلِمٌ .

1147. Ash-Shi bî narrated on the authority of Fâtimah bint Qais (RAA) that the Messenger of Allâh said regarding a woman who is divorced three times (irrevocable divorce), "She has no right for maintenance or housing." Related by Muslim.

١١٤٨ ــ وَعَنْ أُمَّ عَطَيَة - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «لاَ تُحدَّ امْرَأَةٌ عَلَى مَيِّت فَوْقَ ثَلاَث ، إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُر وَعَشْرًا ، وَلاَ تَلْسَسْ نُوبًا مَضْبُوعًا ، إلاَّ ثَوْبً عَصْب ، وَلاَ تَكْتُحِلْ ، وَلاَ تَمَسَّ طِيبًا ، إلاَ إِذَا طَهُــرَت نُــبْذَةً مِــن قُسْط أَوْ أَظْفَارٍ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ . وَلاَ بَعْتَضِبْ». وَلِلنَّسَائِيِّ : «وَلاَ تَمْتَشْطْ».
 وَالنَّسَائِيِّ مِنَ الزِّيَادَةِ : «وَلاَ تُخْتَضِبْ». وَلِلنَّسَائِيِّ : «وَلاَ تَمْتَشْطْ».

1148. Umm 'Atiyah (RAA) narrated that the Messenger of Allâh said, "It is not lawful for a woman who believes in Allâh and the Hereafter to mourn for a dead person for more than three days, except for her husband (she is to mourn) for four months and ten days. She is not to wear a dyed garment, except for a garment of 'Asb (special clothes made in Yemen). She must not apply Kuhl nor perfume. But

what is permissible is that when she is purified from her menses, she may use a small amount of *Kust* (type of incense, to get rid of the smell of the blood)." Agreed upon and the wording is from Muslim.

Abû Dawûd and an-Nasâ'î added the following, 'She must not apply Henna.' an-Nasâ'î added, "or comb her hair."

١١٤٩ ــ وَعَنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : جَعَلْتُ عَلَى عَيْنِي صَبِرًا بَعْدَ أَنْ تُوفِّيَ أَبُو سَلَمَةَ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّهُ يَشِبُّ الْوَجْهَ ، فَلاَ تَجْعَلَــيهِ إِلاَّ بِاللَّـيْلِ ، وَانْزَعِــبهِ بِالنَّهَارِ ، وَلاَ تَمْتَشِطِي بِالطِّيبِ ، وَلاَ بالْحِنَّاءِ فَإِنَّهُ عَضَابٌ». قُلْتُ : بِأَيِّ شَيْءٍ أَمْتَشُطُ ؟ قَالَ : «بِالسِّدْرِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَإِسْنَادُهُ جَيِّدٌ .

1149. Umm Salamah (RAA) narrated, 'I applied aloe juice to my eyes after the death of Abû Salamah.' The Messenger of Allâh said, "It gives the face a nice glow (makes it look fresh), so use it only at night and remove it in the daytime, and do not comb your hair with scent or henna as it is a type of dye." I then asked him, 'What should I use when I comb my hair?' He said, "Use lote-tree leaves (Sidr)." Related by An-Nasâ'î and Abû Dawûd with a good chain of narrators.

١١٥٠ ــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ امْرَأَةٌ قَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ ابْنَتِي مَاتَ عَنْهَا ، وَقَدْ اللَّهُ عَنْهَا ، أَفَنَكْحَلُهَا ؟ قَالَ : «لاَ». مُتَّفَقٌ عَلَيْهِ .

1150. Umm Salamah narrated, 'A woman came to the Messenger of Allâh and said, 'O Messenger of Allâh! My daughter's husband died, and she is suffering from a disease in her eyes. Shall we apply  $Ku\underline{h}l$  to it?' He replied, 'No.' Agreed upon.

١١٥١ ـــ وَعَـــنْ حَابِر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : طُلِّقَتْ خَالَتِي ، فَأَرَادَتْ أَنْ تَحُدَّ نَحْلَهَا ، فَزَجَرَهَا رَجُلَّ أَنْ تَخْرُجَ ، فَأَتَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «بَلَى ، جُدِّي نَحْلَك ، فَإِنَّك عَسَى أَنْ تَصَدَّقي أَوْ تَفْعَلي مَعْرُوفًا». رَوَاهُ مُسْلِمٌ .

1151. Jâbir (RAA) narrated, 'My maternal aunt was divorced thrice, and she wanted to reap some dates of hers, but a man saw

her and blamed her for going out. She came to the Messenger of Allâh \$\mathscr{e}\$ to complain, and he said to her, "Certainly, go and reap your palms, so you may give in charity thereof or do a good deed." Related by Muslim.

١١٥٢ ــ وَعَــنْ فُرَيْعَةَ بِنْتِ مَالِك : أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْبُد لَهُ ، فَقَتَلُوهُ ، قَالَت : فَسَأَلُت رَسُولَ اللَّه صَلَّى اللَّه عَلَيْه وَسَلَّمَ أَنْ أَرْجِعَ إِلَى أَهْلِي ، فَإِنَّ زَوْجِي لَمْ يَتُرُك لِي مَسْكَنَا يَمْلِكُهُ ، وَلاَ نَفَقَةَ ، فَقَالَ : «نَعَمْ» . فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي يَتُرُك لِي مَسْكَنَا يَمْلِكُهُ ، وَلاَ نَفَقَة ، فَقَالَ : «نَعَمْ» . فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي فَقُلل : «نَعَمْ» . فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي فَقُلل : «نَعَمْ» . فَالَتْ : فَاعْتَدَدْتُ فِيه أَرْبَعَة فَقُلل : هَنْكُ أَنْ الْكَتَابُ أَجَلَهُ » . قَالَتْ : فَاعْتَدَدْتُ فِيه أَرْبَعَة أَشْمَالُ : هُوَ اللَّهُ عَلْمُ الْكَتَابُ أَجْلَهُ » . قَالَتْ : فَاعْتَدَدْتُ فِيه أَرْبَعَة ، وَالأَرْبَعَة ، وَالأَرْبَعَة ، وَالأَرْبَعَة ، وَالأَرْبَعَة ، وَاللَّهُ إِلَى عُنْمَانُ . أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَة ، وَاللَّوْمُ بَعْنَ الْكَالُ عُنْمَانُ . أَخْرَجَهُ أَحْمَدُ ، وَاللَّوْمِ اللَّهُ مِنْ عَنْهُ مَا التَرْمِذِيُّ ، وَالذَّهْلِيُّ ، وَابْنُ جَبَّانَ » وَالْحَاكِمُ ، وَغَيْرُهُمْ .

1152. Furai'ah bint Mâlik narrated, 'My husband went out in search of some of his slaves, and they killed him. I asked the Messenger of Allâh to go back to my people, for my husband left me without a house that belonged to him or maintenance.' He said to me, "Yes (go to your family)." When I was in my room he called me and said, "Stay at your place until you finish your prescribed 'Iddah." She said, 'So I stayed there for four months and ten days.' She added, 'Uthmân used to follow the same ruling later on(i.e. for the 'Iddah' of the woman whose husband died).' Related by Ahmad and the four Imâms. At-Tirmidhî, adh-Dhuhalî, Ibn Hibbân and al-Hâkim graded it as Sahîh.

١١٥٣ ــ وَعَـــنْ فَاطِمَة بِنْتِ قَيْسٍ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ : «يَا رَسُولَ اللَّــهِ ، إِنَّ زَوْجِـــي طَلَّقَـــنِي ثَلاَثًا ، وَأَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ ، فَأَمَرَهَا فَتَحَوَّلَتْ». رَوَاهُ مُسْلِمٌ .

1153. Fâtimah bint Qais narrated, 'I said: O Messenger of Allâh! My husband divorced me thrice and I am afraid that someone may attack me (as she was staying in a deserted place).' The Messenger of Allâh gave her permission to move to another house (to spend her 'Iddah there.)' Related by Muslim.

١١٥٤ - وعُــنْ عُمْرِو بُنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لاَ تُلْبِسُوا عَلَيْنَا سُنَةَ نَبِينَا : عِدَّةُ أُمِّ الْوَلَدِ إِذَا تُوفُنِي سَيِّدُهَا أَرْبَعَةُ أَشْهُرٍ وَعَشْرٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَابْنُ مَاجَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالإِنْقِطَاعِ .

1154. 'Amro bin al-'Âs (RAA) narrated, 'Do not confuse us about the Sunnah of our Prophet . The 'Iddah of the slave woman, who is the mother of a child (born free), and her master died, is four months and ten days.' Related by Ahmad, Abû Dawûd and Ibn Mâjah. Al-Hâkim graded it as Sahîh.

١١٥٥ ــ وَعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «طَلاَقُ الأَمَةِ تَطْلِيقَتَانِ ، وَعِدَّتُهَا حَيْضَتَانِ». رَوَاهُ الدَّارَقُطْنِيُّ ، وَأَخْرَجَهُ مَرْفُوعًا وَضَعَّفَهُ .

1155. Ibn 'Umar (RAA) narrated, 'The slave woman has only two pronouncements of divorce (unlike the free woman who has three), and her 'Iddah' is only for two menstrual cycles.' Related by Ad-Dâraqutnî.

١١٥٦ ــ وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَالتَّرْمَذِيُّ ، وَابْنُ مَاجَهْ مِنْ حَدِيثِ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – ، وَصَحَّحَهُ الْحَاكِمُ وَخَالَفُوهُ ، فَاتَّفَقُوا عَلَى ضَعْفِهِ .

1156. Abû Dawûd, At-Tirmidhî and Ibn Mâjah related the same <u>Hadîth</u> on the authority of 'Â'ishah (RAA). Al-<u>H</u>âkim graded it as Sahîh but some scholars rendered it weak.

١١٥٧ ــ وَعَـــنْ رُوَيْفِـــعِ بْنِ ثَابِتِ - رَضِيَ اللَّهُ عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ لامرِيء يُؤْمِنُ باللَّه وَالْيَوْمِ الآخِرِ أَنْ يَسْقِي مَاءَهُ زَرْعَ غَيْرِهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمِذِيُّ ، وَصَحَّحُهُ ابْنُ حِبَّانَ ، وَحَسَّنَهُ الْبُزَّارُ .

1157. Ruwaifi' bin Thâbit (RAA) narrated that the Messenger of Allâh said, "It is not lawful for a man who believes in Allâh and the Day of Resurrection to have intercourse with a slave woman (newly bought) who is already pregnant."330

<sup>330-</sup> If a man buys a slave woman and discovers that she is already pregnant he is not allowed to have intercourse with her until she delivers the

Related by Abû Dawûd and At-Tirmidhî. Ibn  $\underline{\mathbf{H}}$ ibbân graded it as  $Sah\hat{\imath}h$ .

1158. Ibn 'Umar narrated concerning the wife of a lost man (who is absent and his news ceases to reach her), that she must wait for four years and then have an 'Iddah' for four months and ten days (assuming that he died). Related by Mâlik and Ash-Shâfi'î.

1159. Al-Mughîrah bin Shu'bah narrated that the Messenger of Allâh said, "The wife of a lost man remains his wife, until she gets certain news about his fate." Related by Ad-Dâraqutnî with a weak chain of narrators.

1160. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "No man is allowed to spend the night in the house of another woman unless he is married to her, or of her Mahrams (who are not allowed to marry her.)" Related by Muslim.

1161. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "No man should be alone with a woman unless it is

child. If he is not sure that she is pregnant, then she must have \*Iddah\* for one menstrual period before he can have intercourse with her.

in the presence of one of her *Mahrams* (male relatives that she cannot marry)." Related by Al-Bukhârî.

١١٦٢ ــ وَعَنْ أَبِي سَعِيد - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فِـــي سَبَايَا أَوْطَاسٍ : «لَا تُوطَأُ حَامِلٌ حَتَّى تَضَعَ ، وَلاَ غَيْرُ ذَاتِ حَمْلٍ حَتَّى تَحِيضَ حَيْضَةً». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكمُ .

1162. Abû Sa'îd Al-Khudrî(RAA) narrated that the Messenger of Allâh said regarding the captive women taken in Autâs\_(the location of a battle), "You should not have intercourse with a pregnant woman until she gives birth, nor with a non-pregnant woman until she has one menstrual cycle." Related by Abû Dawûd. Al-Hâkim graded it as Sahîh.

1163. There is a similar <u>h</u>adîth transmitted by Ad-Dâraqutnî on the authority of Ibn ´Abbâs.

1164. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "The child is to be attributed to the one on whose bed he is born, and as for a woman adulterer she is to be stoned." Agreed upon.

1165, 1166, 1167. An-Nasâ'î transmitted the same <u>h</u>adîth on the authority of 'Â'ishah and Ibn Mas'ûd (RAA). Abû Dawûd related it on the authority of 'Uthmân.

## بَسابُ الرِّضَساع

#### Chapter XIII: Ridâ´ (Becoming Unmarriageable Kin By Suckling)

١٦٨ هـ عَــنْ عَائشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُحَرِّمُ الْمَصَّةُ وَالْمَصَّتَانِ». أَخْرَجَهُ مُسْلِمٌ .

1168. 'Â'ishah (RAA) narrated that the Messenger of Allâh said, "One or two sucklings would not make marriage unlawful." Related by Muslim

١١٦٩ ــ وَعَــنْهَا - رَضِــيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «انْظُرْنُ مِنْ إِخْوَانِكُنَّ ، فَإِنَّمَا الرَّضَاعَةُ مِنَ الْمَحَاعَةِ» مُتَّفَقٌ عَلَيْهِ .

1169. 'Â'ishah (RAA) narrated that the Messenger of Allâh said, "Be sure as to who your foster brothers are, for the foster (suckling) relationship is confirmed when milk is still the essential food for the child (the only food that satisfies his hunger)." Agreed upon.

١١٧٠ ــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ ؛ جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْل ، فَقَالَتْ :
 يَا رَسُولَ اللَّهِ ، إِنَّ سَالِمًا مَوْلَى أَبِي حُذَيْفَةَ مَعَنَا فِي بَيْتِنَا ، وَقَدْ بَلَغَ مَا يَبْلُغُ الرِّحَالُ ،
 فَقَالَ : «أَرْضِعِيهِ تَحْرُمِي عَلَيْهِ». رَوَاهُ مُسْلِمٌ .

1170. 'Â'ishah (RAA) narrated that Sahlah bint Suhail came and said, 'O Messenger of Allâh #! Sâlim the client of Abû Hudhaifah lives with us in the same house, and he has now reached puberty.' The Messenger of Allâh # said to her, "Suckle him so that he may become unlawful (in regard to marriage) for you." Related by Muslim.

<sup>331-</sup> Scholars are of the opinion that this hadīth is not a common ruling, as it is only infants who are normally breastfed. In this case, the messenger of Allâh 養 meant that she may give him some of her milk (in a cup) and thus she would foster him, and not actually suckle him as he is a grown

١١٧١ ـــ وَعَــنْهَا : أَنَّ أَفْلَــحَ - أَخَــا أَبِــي الْقُعَيْسِ - جَاءَ يَسْتَأْذِنُ عَلَيْهَا بَعْدَ الْحِجَــابِ ، قَالَتُ : فَأَبِيتُ أَنْ آذَنَ لَهُ ، فَلَمَّا جَاءَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَخْبَرْتُهُ بِالَّذِي صَنَعْتُهُ ، فَأَمَرَنِي أَنْ آذَنَ لَهُ عَلَيَّ ، وَقَالَ : «إِنَّهُ عَمُّكِ». مُتَّفَقٌ عَلَيْهِ .

1171. 'Â'ishah (RAA) narrated that Aflah the brother of Abû al-Qu'ais (Aflah is her foster uncle) came and asked for permission to enter upon her after the verse of the <u>Hijâb</u> (the veiling of women) was revealed. 'Â'ishah added, 'But I refused to let him in. When the Messenger of Allâh added, 'But I refused to let him in. When the Messenger of Allâh came, I told him what happened, so he commanded me to give him permission to come into my presence and said, "He is your uncle." Agreed upon

١١٧٢ ــ وَعَنْهَا - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «كَانَ فِيمَا أُنْزِلَ مِنَ الْقُرْآنِ : عَشْرُ رَضَعَاتٍ مَعْلُومَاتٍ يُحَرِّمْنَ ، ثُمَّ نُسخْنَ بِحَمْسٍ مَعْلُومَاتٍ ، فَتُوفِّيَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهٍ وَسَلَّمَ وَهِيَ فِيمَا يُقْرَأُ مِنَ الْقُرآنِ». رَوَاهُ مُسْلِمٌ .

1172. 'Â'ishah (RAA) narrated, 'It had been revealed in the Holy Qur'ân that ten (definitely) known suck lings make the marriage unlawful, but that was abrogated (and substituted) by five known sucklings. When the Messenger of Allâh died, they were still read (their recitation was finally abrogated from the Qur'ân before his death, but the ruling still applies)." Related by Muslim.

١١٧٣ ـــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أُرِيــــدُ عَلَـــى ابْنَةِ حَمْزَةَ ، فَقَالَ : «إِنَّهَا لاَ تَحِلُّ لِي ، إِنَّهَا ابْنَةُ أَحِي مِنَ الرَّضَاعَةِ ، وَيَحْرُهُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُهُمُ مِنَ النَّسَبِ». مُتَّفَقٌ عَلَيْهِ .

1173. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh was asked to marry the daughter of Hamzah (his cousin and foster brother), he said, "She is unlawful for me as she is the daughter of my foster brother. What is unlawful due to blood relations, is also unlawful due to Ridâ'ah (suckling)." Agreed upon.

man and she cannot uncover in front of him. But the majority of scholars are of the opinion that fosterage only applies to infants within the first two years.

١١٧٤ ـــ وَعَـــنْ أُمِّ سُلَمَةَ - رُضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَـــلَّمَ : «لاَ يُحَـــرِّمُ مِنَ الرَّضَاعِ إِلاَّ مَا فَتَقَ الأَمْعَاءَ ، وَكَانَ قَبْلُ الْفِطَامِ».
 رُوَاهُ النَّرْمِذِيِّ ، وَصَحَّحَهُ هُوَ وَالْحَاكِمُ .

1174. Umm Salamah (RAA) narrated that the Messenger of Allâh said, "The only suckling which makes marriage unlawful is that which is absorbed in the bowels and was before the time of weaning." Related by At-Tirmidhî. He and al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١١٧٥ ـــ وَعَـــنِ ابْـــنِ عَـــبَّاسِ - رَضـــيّ اللَّهُ عَنْهُمَا - قَالَ : «لاَ رَضَاعَ إِلاَّ فِي الْحَوْلَيْن». رَوَاهُ الدَّارَقُطْنيُّ ، وَابْنُ عَدِيٍّ ، مَرَّفُوعًا وَمَوْقُوفًا ، وَرَجَّحَا الْمَوْقُوفَ

1175. Ibn 'Abbâs (RAA) narrated, 'Ridâ' (suckling) only applies to infants during the first two years of age.' Related by Ad-Dâraqutnî and Ibn 'Adî.

١١٧٦ ـــ وَعَـــنِ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ رَضَاعَ إِلاَّ مَا ۚ أَنْشَرَ الْعَظْمَ ، وَأَنْبَتَ اللَّحْمَ». أَخْرَجَهُ أَبُو دَاوُدَ .

1176. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "The only suckling which makes marriage unlawful is that which strengthens the bones and lets the flesh grow." Related by Abû Dawûd.

١١٧٧ ـــ وَعَـــنْ عُقْبُةَ بْنِ الْحَارِث : أَنَّهُ تَزَوَّجَ أُمَّ يَحْيَى بنْتَ أَبِي إِهَابٍ ، فَحَاءَتِ الْمُــرَأَةٌ ، فَقَالَ ... فَسَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «كَيْفَ وَقَدْ قِيلَ ؟». فَفَارَقَهَا عُقْبَةُ ، فَنَكَحَتْ زَوْجًا غَيْرَهُ . أَخْرَجَهُ الْبُخَارِيُّ .

1177. Uqbah bint Al-Hârith narrated that he married Umm Yehiâ bint Abî Ihâb. A woman came along and said, I suckled both of you.' Uqbah then asked the Messenger of Allâh se who said to him, "How can you hesitate (about separating from her), after you have been told (that you were suckled from the same woman)?" Uqbah then separated from her and she married another man. Related by Al-Bukhârî.

١١٧٨ ــ وَعَــنْ زِيَــاد السَّهْمِيِّ قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تُسْتَرْضَعَ الْحَمْقَى». أَخْرَجُهُ أَبُو دَاوُدَ ، وَهُوَ مُرْسَلٌ ، وَلَيْسَتْ لِزِيَادِ صُحْبَةٌ .

1178. Ziâd As-Sahmî (RAA) narrated, 'The Messenger of Allâh prohibited that a foolish woman be asked to suckle an infant. Related by Abû Dawûd. It is a <u>Hadîth Mursal</u> and Ziâd is not a Companion.

# بَسابُ النَّفَقَساتِ Chapter XIV: Maintenance

1179 — عَــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلْتْ هِنْدُ بِنْتُ عُتْبَةَ - امْرَأَةُ أَبِسِي سُفْيَانَ - عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَتْ : يَا رَسُولَ اللَّهِ ، إِنَّ أَبِسِي سُفْيَانَ رَجُلٌ شَحِيحٌ لاَ يُعْطِينِي مِنَ النَّفَقَةِ مَا يَكْفينِي وَيَكْفِي بَنِيَّ ، إِلاَّ مَا أَخَذْتُ مِنْ مَالِهِ مِنْ مَالِهِ مِنْ مَالِهِ مِنْ مَالِهِ مِنْ مَالِهِ بَنْيُرِ عَلْمِهِ ، فَهَلْ عَلَيَّ فِي ذَلِكَ مِنْ جُنَاحٍ ؟ . فَقَالَ : «خُذِي مِنْ مَالِهِ بَالْمَعْرُوفَ مَا يَكْفيكَ وَمَا يَكْفي بَنيك». مُثَّفَقٌ عَلَيْه .

1179. 'Â'ishah (RAA) narrated that Hind bint 'Utbah --the wife of Abî Sufiân- came to the Messenger of Allâh ﷺ and said, 'O Messenger of Allâh! Abû Sufiân is a miser and he does not give enough maintenance for me and my children except what I used to take from him without his knowledge. Am I to be blamed for that?' The Prophet ﷺ said to her, "Take what is sufficient for you and your children but in moderation (take only in reasonable amounts)." Agreed upon.

١١٨٠ ـــ وعـــن طَارِق الْمُحَارِبِي - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَدِمْنَا الْمَدينَةَ ، فَإِذَا رَسُـــولُ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَائِمٌ عَلَى الْمِنْبَرِ يَخْطُبُ النَّاسَ ، وَيَقُولُ : «يَدُ

<sup>332-</sup> Scholars say that the wisdom behind this prohibition could be that bad character may be inherited, so it is better to choose one with fine qualities.

الْمُعْطِىيِ الْعُلْمِيَا ، وَابْسِدَأْ بِمِنْ تَعُولُ : أُمَّكَ وَأَبَاكُ ، وَأُخْتُكَ وَأَخَاكَ ، ثُمَّ أَدْنَاكَ فَأَدْنَاكَ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالدَّارَقُطْنِيُّ .

1180. Târiq Al-Muhâribî (RAA) narrated, 'We arrived in Madînah when the Messenger of Allâh was on the pulpit addressing the people and saying, "The hand which gives (charity) is the upper hand. And spend first (before giving charity) on the ones who are dependent on you: your mother and father, your sister and brother, then your closer relatives and so on." Related by An-Nasâ'î. Ibn Hibbân and ad-Dâraqutnî graded it as <u>Sahîh</u>.

١١٨١ ــ وَعَـــنُ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «لِلْمَمْلُوكِ طَعَامُهُ وَكُسُوتُهُ ، وَلاَ يُكَلَّفُ مِنَ الْعَمَلِ إِلاَّ مَا يُطِيقُ». رَوَاهُ مُسْلِمٌ .

1181. Abû Hurairah narrated that the Messenger of Allâh ﷺ said, "A slave is entitled to his food and clothing (spent by his master), and he is not to be given tasks that are beyond his ability." Related by Muslim.

١١٨٢ ــ وَعَنْ حَكِيمٍ بْنِ مُعَاوِيَةَ الْقُشَيْرِيِّ عَنْ أَبِيهِ قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، مَا حَقُّ زَوْجَةٍ أَحَدِنَا عَلَيْهِ ؟ قَالَ : «أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ». الْحَدِيثَ . وَتَقَدَّمَ فِي عِشْرَةِ النِّسَاءِ .

1182. Hakîm bin Mu'âwiyah Al-Qushairî narrated on the authority of his father, 'I asked: 'O Messenger of Allâh! What are the rights of one's wife upon her husband?' The Prophet said, "To feed her when you eat, and clothe her when you clothe yourself." (see hadîth no. 1052).

١١٨٣ ـــ وَعَـــنْ جَابِرِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي حَدِيثِ الْحَجِّ بِطُولِهِ قَالَ فِي ذِكْرِ النَّسَاءِ - : «وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسُوتُهُنَ بِالْمَعْرُوفِيِّ». أَخْرَجَهُ مُسْلِمٌ .

1183. Jâbir bin 'Abdullâh (RAA) narrated, 'In the Farewell

Sermon, the Messenger of Allâh ﷺ said regarding women, "You are responsible for their maintenance and clothing in a fair manner." Related by Muslim.

١١٨٤ ــ وَعَنْ عَبْدَاللّهِ بْنِ عُمَرَ - رَضِيَ اللّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ : «كَفَى بِالْمَرْءِ إِنْمًا أَنْ يُضَيّعَ مْنِ يَقُوتُ». رَوَاهُ النّسَائِيُّ .
 وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ : «أَنْ يَحْبِسَ عَمَّنْ يَمْلِكُ قُوتَهُ».

1184. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "It is a grave sin for someone to destroy those for whom he is responsible for their maintenance (leave them without paying their necessary provisions)." Related by An-Nasâ'î.

In the version of Muslim, "...to withhold his provisions from those he possesses (his slaves)."

1185. Jâbir (RAA) narrated concerning the pregnant woman whose husband died, that the Messenger of Allâh said, "She has no right to maintenance." Related by Al-Baihaqî with a reliable chain of narrators, but he regarded it as Mawqûf.

1186. It was mentioned earlier that the one who was divorced thrice is not entitled to maintenance (see <u>h</u>adîth no. 1147). Related by Muslim.

١١٨٧ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَـــهُ عَلَـــهُ عَلَـــهُ وَسَلَّمَ : «الْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى ، وَيَبْدَأُ أَحَدُكُمْ بِمَنْ يَعُولُ ، وَلِسْنَادُهُ حَسَنٌ . تَقُولُ الْمَرْأَةُ : أَطْعِمْنِي أَوْ طَلِّقْنِي». رَوَاهُ الدَّارَقُطْنِيُّ ، وَإِسْنَادُهُ حَسَنٌ .

1187. Abû Hurairah (RAA) narrated that the Messenger of

Allâh said, "The upper hand is better than the lower hand (i.e. he who gives in charity is better than he who takes it). And spend first on the ones who are dependent on you. A woman would say: 'Feed me or divorce me.'" Related by Ad-Dâraqutnî with a good chain of narrators.

١١٨٨ — وَعَسَنْ سَسِعِيد بْنِ الْمُسَيَّبِ - فِي الرَّجُلِ لاَ يَجِدُ مَا يُنْفِقُ عَلَى أَهْلِهِ - قَالُ : «يُفَرَّقُ بَيْنَهُمَا». أَخْرَجُهُ سَعِيدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ ، عَنْ أَبِي الزَّنَادِ عَنْهُ ، قَالَ : شُنَّةٌ . وَهَذَا مُرْسَلٌ قَوِيٌّ .
 قَالَ : قُلْتُ لِسَعِيدِ بْنِ الْمُسَيِّبِ : سُنَّةٌ ؟ فَقَالَ : سُنَّةٌ . وَهَذَا مُرْسَلٌ قَوِيٌّ .

1188. Sa´îd bin al-Musaiyab narrated regarding a man who finds nothing to spend on his wife, 'They should be separated.' Related by Sa´îd bin Mansûr on the authority of Sufiân on the authority of Abû az-Zinâd who said,'I asked Sa´îd bin al-Musaiyab: Does this relate to the Sunnah of the Prophet \*?' He replied: "Yes it does." This Hadîth is a Mursal.

١١٨٩ ــ وَعَنْ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّهُ كَتَبَ إِلَى أُمَرَاءِ الأَحْنَادِ فِي رِحَالُ غَابُوا عَنْ نِسَائِهِمْ أَنْ يَأْخُذُوهُمْ بِأَنْ يُنْفِقُوا أَوْ يُطَلِّقُوا ، فَإِنْ طَلَّقُوا بَعَنُوا بِنَفَقَةِ مَا حَبَسُوا». أَخْرَجَهُ الشَّافِعِيُّ ، ثُمَّ الْبَيْهَقِيُّ بِإِسْنَادِ حَسَنِ .

1189. 'Umar (RAA) narrated that he wrote to the commanders of the armies regarding some men (soldiers) who had been absent from their wives for long periods of time, telling them to send maintenance or divorce them. If they divorce, they should send them maintenance for the period that they had stopped paying it. Related by ash-Shâfi'î and al-Baihaqî with a good chain of narrators.

١١٩٠ ــ وَعَــنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَــلِّى اللَّهِ عَلَيْهِ وَسَلِّمَ فَقَالَ : يَا رَسُولَ الله ، عنْدي دينَارٌ ؟ قَالَ : «أَنْفَقْهُ عَلَى اللَّه ، عنْدي دينَارٌ ؟ قَالَ : «أَنْفَقْهُ عَلَى اللَّه ، عَنْدي آخَرُ ؟ فَقَالَ : «أَنْفَقْهُ عَلَى وَلَدَكَ». قَالَ : عنْدي آخَرُ ؟ قَالَ : «أَنْفَقْهُ عَلَى خَادمُكَ». قَالَ : قَالَ : «أَنْفَقْهُ على خَادمُكَ». قَالَ : «أَنْفَقْهُ عَلَى خَادمُكَ». قَالَ : عنْدي آخَــرٌ ؟ قَالَ : «أَنْفَقْهُ عَلَى خَادمُكَ». قَالَ : عنْدي آخَــرٌ ؟ قَالَ : «أَنْفَقْهُ عَلَى خَادمُكَ». قَالَ : وَاللَّهُ ظُلُهُ لَهُ ، وَالْحَاكِمُ بِتَقْدِيمِ الزَّوْجَةِ على الْوَلَدِ .

1190. Abû Hurairah (RAA) narrated that a man came to the Messenger of Allâh and said, 'Allâh's Messenger, I have a Dînâr?' He then said to him, "Spend it on yourself." The man again said, I have another one.' The Messenger of Allâh said, "Spend it on your children." He said, 'I have another one.' He said, "Spend it on your wife." The man again said, 'I have another one.' The Messenger of Allâh said, "Spend it on your servant." He said, 'I have another one.' The Messenger of Allâh said, "You know better to whom you should give it." Related by Ash-Shâfi and Abû Dawûd and the wording is his. An-Nasâ and al-Hâkim also transmitted it, but mentioned the wife before the children.

1 ١٩١ - وَعَ نَ بَهُ نِ بَهُ فَ بَسِ حَكِيمٍ عَنْ أَبِهِ عَنْ حَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قُلْت : ثُمَّ مَنْ ؟ قَالَ : «أُمَّكَ». قُلْت : ثُمَّ مَنْ ؟ قَالَ : «أُمَّكَ». قُلْت : ثُمَّ مَنْ ؟ قَالَ : «أَبَاكَ ، ثُمَّ الأَقْرَبَ قُلْت : ثُمَّ مَنْ ؟ قَالَ : «أَبَاكَ ، ثُمَّ الأَقْرَبَ فَلْت نُ : ثُمَّ مَنْ ؟ قَالَ : «أَبَاكَ ، ثُمَّ الأَقْرَبَ فَالأَقْرَبَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتَّرْمذيُّ وَحَسَّنَهُ .

1191. Bahz bin <u>H</u>akîm narrated on the authority of his father on the authority of his grandfather (RAA), that I said: 'O Messenger of Allâh! Who deserves my best treatment?' The Messenger of Allâh said, 'Your mother." I said again, "Then who?' He said, "Your mother." I said, "Then who?' He said, "Your mother." I said, "Then who?' He said, "Your father, and then your closer relatives and so on." Related by Abû Dawûd and At-Tirmidhî, who rendered it <u>H</u>asan.

## بَـــابُ الْحَضَائـــةِ Chapter XV: Child Care and Custody

١١٩٢ ــ عَـــنْ عَبْداللَّهِ بْنِ عَمْرُو ، أَنَّ امْرَأَةً قَالَتْ : يَا رَسُولَ اللَّه ، إِنَّ ابْنِي كَانَ بَطْـــنِي لَهُ وِعَاءً ، وَتَدْيِي لَهُ سِقَاءً ، وَحِجْرِي لَهُ حِوَاءً ، وَإِنَّ أَبَاهُ طَلَّقَنِي ، وَأَرَادَ أَنْ يَـــنْزِعَهُ مِــنِّي ، فَقَالَ لَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنْتِ أَحَقُّ بِهِ ، مَا لَمْ تَنْكِحي». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1192. 'Abdullâh bin 'Umar (RAA) narrated, 'A woman said, 'O Messenger of Allâh! This is my son; for him my womb was a vessel, my breast was like a water skin, and my lap was his bedding, yet his father divorced me and wants to take him away from me.' The Messenger of Allâh said to her, "You have more right to keep him unless you get married." Related by Ahmad and Abû Dawûd. Al-Hâkim graded it as Sahîh.

١١٩٣ ـ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللّهُ عَنْهُ - : أَنَّ امْرَأَةً قَالَتْ : يَا رَسُولَ اللّهِ ، إِنَّ رَوْجَـي يُـرِيدُ أَنْ يَذْهَبَ بَابِنِي ، وَقَدْ تَفَعَنِي وَسَقَانِي مِنْ بَعْرِ أَبِي عِنْبَةَ ، فَجَاءَ زَوْجُهَـا ، فَقَالَ النّبِيُّ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «يَا غُلاَمُ ، هَذَا أَبُوكَ وَ هَذِهِ أُمُّكَ ، فَخَــذْ بِـيد أَيْهِمَا شِعْتَ». فَأَحَذَ بِيد أُمَّهِ ، فَانْطَلَقَتْ بِهِ ، رَوَاهُ أَحْمَدُ . وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1193. Abû Hurairah (RAA) narrated that a woman said: 'O Messenger of Allâh! My husband wants to take away my son, and he is helping me and draws water for me from the well of Abû Inabah (i.e. her son). Her husband came and the Messenger of Allâh said, "O boy! This is your father and this is your mother, take the hand of whoever you wish of them. 333" The boy then took his mother's hand and she went away with him.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as Sahîh.

١١٩٤ ــ وَعَـــنْ رَافِــعِ بْنِ سِنَان - رَضِيَ اللَّهُ عَنْهُ - : أَنَّهُ أَسْلَمَ ، وَأَبَتِ امْرَأَتُهُ أَنْ تُسْـــلِمَ ، فَـــأَفْعَدَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الأُمَّ نَاحِيَةً ، وَالأَبَ نَاحِيةً ، وَأَفْعَدَ

<sup>333-</sup> This is a proof that when the child starts to be independent he is given the choice between staying with the mother or the father.

الصَّــبِيُّ بَيْــنَهُمَا ، فَمَالَ إِلَى أُمَّهِ ، فَقَالَ : «اللَّهُمُّ اهْدِهِ». فَمَالَ إِلَى أَبِيهِ فَأَخَذَهُ . أَحْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1194. Râfî' bin Sinân (RAA) narrated that he embraced Islâm but his wife refused to do so. The Messenger of Allâh se made the mother sit on one side and the father sit on the other side and seated the boy between them. The boy then inclined to his mother. The Messenger of Allâh said, "O Allâh! Guide him.' The boy then inclined to his father's side, and he took him and went away.' Related by Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as Sahîh.

١١٩٥ ـــ وَعَـــنِ الْــبَرَاءِ بْنِ عَازِب : أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَضَى فِي ابْنَةِ حَمْزَةَ لِخَالَتِهَا ، وَقَالَ : «الْخَالَةُ بِمَنْزِلَّةِ الْأُمِّ». أَخْرَجَهُ الْبُخَارِيُّ .

1195. Al-Barâ' Ibn 'Âzib narrated that the Messenger of Allâh sordained that the daughter of Hamzah should stay with her maternal aunt, and said, "The maternal aunt has the same status as the mother." Related by Al-Bukhârî.

١١٩٦ ــ وَأَحْرَجَهُ أَحْمَدُ مِنْ حَدِيثِ عَلِيٌّ - رَضِيَ اللَّهُ عَنْهُ - فَقَالَ : «وَالْحَارِيَةُ عِنْدَ خَالَتِهَا فَإِنَّ الْحَالَةَ وَالِدَةٌ».

1196. Ahmad transmitted the same hadîth on the authority of 'Alî (RAA) and said, 'The little girl must be given to the care of her aunt for the maternal aunt is like a mother.'

١١٩٧ ــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَتَى أَحَدَكُمْ خَادِمُهُ بِطَعَامِهِ فَإِنْ لَمْ يُحْلِسْهُ مَعَهُ ، فَلْيُنَاوِلْهُ لُقْمَةً أَوْ لُقْمَتَيْنِ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1197. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When the servant of one of you brings him his food, if he does not let him sit with him (to eat) he should give him one or two mouthfuls." Agreed upon and the wording is from Al-Bukhârî'.

١٩٨ - وعُــنِ ابْنِ عُمْرَ - رَضِيَ اللّهُ عَنْهُمَا - ، عَنِ النّبِيِّ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ
 قَــالَ : «عُذَّہـــتِ امْرَأَةٌ فِي هِرَّةٍ سَجَنَتْهَا حَتَّى مَاتَتْ ، فَدَخَلَتْ النَّارَ فِيهَا ، لاَ هِيَ أَطْعَمَـــتْهَا وَسَــقَتْهَا ، إِذْ حَبَسَــتْهَا ، وَلاَ هِيَ تَرَكَتْهَا تَأْكُلُ مِنْ خَشَاشِ الأَرْضِ».
 مُتَّفَقٌ عَلَيْه .

1198. Ibn 'Umar narrated that the Messenger of Allâh said, 'A woman was punished on account of a cat. She kept it locked in until it died. So, she was put in the Hell Fire because of what she did. She neither fed it or gave it water; as she locked her in, nor left her to eat from the creatures of the earth." Agreed upon.

## كستساب المجسنايسات

#### Book IX: Crimes (Qisâs or Retaliation)

#### Chapter I

١١٩٩ ــ عَــنِ ابْنِ مَسْعُود - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَحِلُّ دَمُ امْرِئُ مُسلِّم يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَأَنِّي رَسُولُ اللَّهِ عَلَيْهِ وَسَلَّمَ : «لاَ يَحِلُّ دَمُ امْرِئُ مُسلِّم يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ ، وَأَنِّي رَسُولُ اللَّهِ عَلَيْهِ ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ للَّهِ ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ للْحَمَاعَةِ». مُتَّفَقٌ عَلَيْهِ .

1199. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "The blood of a Muslim who testifies that none has the right to be worshipped but Allâh and that I am His Messenger, cannot be shed lawfully, except in three cases: a married person who committed adultery, in Qisâs (retaliation) for murder(life for life)and the apostate from Islâm who abandons the Muslim Jamâ´ah (community)." Agreed upon.

١٢٠٠ ــ وَعَــنْ عَائشَــة - رَضِــيَ اللَّهُ عَنْهَا - ، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَحِلُّ قَتْلُ مُسْلِمٍ إِلاَّ بإحْدَى ثَلاَثِ حِصَالٍ : زَان مُحْصَنٍ قَيَرْجَمُ ، وَرَجُلْ يَحْرُجُ مِنَ الإِسْلاَمِ فَيُحَارِبُ اللَّهَ وَرَجُلْ يَحْرُبُ مِنَ الأَرْضِ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكُمُ .

1200. Â'ishah (RAA) narrated that Allâh's Messenger  $\frac{1}{2}$  said, "The blood of a Muslim is not to be shed except for three reasons: a married man who committed adultery, a man who kills another Muslim intentionally for which he must be killed (in Qisas or retaliation), and a man who abandons Islâm and fights against Allâh and His Messenger, in which

case he should be either killed, crucified, or exiled." Related by Abû Dawûd and An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sah</u>îh.

١٢٠١ ـــ وَعَنْ عَبْداللَّهِ بْنِ مَسْعُودِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «أُوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ». مُتَّفَقٌ عَلَيْهِ .

1201. 'Abdullâh Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh said, "The first issues to be judged among people on the Day of Resurrection, are those of unlawful blood-shed." Agreed upon.

١٢٠٢ ــ وَعَنْ سَمُرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَتَلَ عَبْدَهُ قَتَلْنَاهُ ، وَمَنْ جَدَعَ عَبْدَهُ جَدَعْنَاهُ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَسَلَّمَ : «مَنْ قَتَلَ عَبْدَهُ وَاللَّرْبَعَةُ ، وَهُوَ مِنْ رِوَايَةِ الْحَسَنِ الْبَصْرِيِّ عَنْ سَمُرَةَ ، وَقَدِ اخْتُلِفَ فِي سَمَاعه مِنْهُ .

وَفِـــي رِوَايَـــة أَبِي دَاوُدَ وَالنَّسَائِيِّ بِزِيَادَةِ : «وَمَنْ خَصَى عَبْدَهُ خَصَيْنَاهُ». وَصَحَّحَ الْحَاكُمُ هَذه الزِّيَادَةُ .

1202. Samurah (RAA) narrated that the Messenger of Allâh said, "Whoever kills his slave we shall kill him, and whoever cuts the nose of his slave we shall cut off his nose." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as Hasan.

Abû Dawûd and An-Nasâ'î added the following, "and whoever castrates his slave we shall castrate him." Al- $\underline{H}$ âkim graded this addition as  $\underline{Sah}\hat{ih}$ .

١٢٠٣ ــ وَعَـــنْ عُمَرَ بْنِ الْحَطَّابِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لا يُقَادُ الْوَالِدُ بِالْوَلَد». رَوَاهُ أَحْمَدُ ، وَالتِّرْمِدِيُّ ، وَابْنُهُ مَقِيًّ ، وَقَالَ التِّرْمِذِيُّ : «إِنَّهُ مُضْطَرِبٌ» .
 وَابْنُ مَاجَهُ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَالْبَيْهَقِيُّ ، وَقَالَ التِّرْمِذِيُّ : «إِنَّهُ مُضْطَرِبٌ» .

1203. 'Umar bin al-Kha<u>tt</u>âb (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, "A father is not to be killed for his off-spring." Related by Ahmad, At-Tirmidhî and Ibn Mâjah. Ibn al-Gârûd and al-Baihaqî graded it as <u>Sahîh</u>.

١٢٠٤ — وَعَـــنْ أَبِي جُحَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قُلْتُ لِعَلَيُّ : هَلْ عَنْدَكُمْ شَيْءٌ مِنَ الْوَحْيِ غَيْرَ الْقُرْآنِ ؟ قَالَ : لا ، وَالَّذِي فَلَقَ الْحَبَّةَ ، وَبَرَأَ النِّسْمَةَ ، إِلا فَهْما يُعْطِــيهِ اللَّهُ - تَعَالَى - رَجُلاً فِي الْقُرْآنِ ، وَمَا فِي هَذِهِ الصَّحيفة ، قَلْتُ : وَمَا فِي هَـنَـهِ اللَّهُ - تَعَالَى - رَجُلاً فِي الْقُرْآنِ ، وَمَا فِي هَذِهِ الصَّحيفة ، قَلْتُ : وَمَا فِي هَـنَـهِ الصَّحيفة ، قَلْتُ : وَمَا فِي هَـنَـه الصَّحيفة ؟ قَالَ : «الْعَقْلُ ، وَفِكَاكُ الأَسِيرِ ، وَأَنْ لاَ يُقْتَلَ مُسْلِمٌ بِكَافِرٍ».
رَواهُ اللَّهُ حَارِيُّ .

1204. Abû Juhaifah (RAA) narrated, I asked 'Alî: 'Do you have any other Divine Revelation besides what is in the Qur'ân? 'Alî said, 'No. By Him Who made the grain split (germinate) and created the soul, we have nothing besides the Qur'ân except the gift of understanding the Qur'ân, which Allâh gives a man, besides what is written in this manuscript. I said, 'What is in this manuscript?' 'Alî said, 'The regulations of Diyah (Blood money), the ransom for captives and the ruling that no Muslim should be killed in Qisâs for killing a disbeliever.' Related by Al-Bukhârî.

١٢٠٥ ــ وَأَخْرَجَهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ مِنْ وَجْهِ آخَرَ عَنْ عَلِيً - رَضِيَ اللَّــهُ عَــنْهُ - وَقَـــالُ فِيهِ : «الْمُؤْمِنُونُ تَتَكَافَأُ دِمَاؤُهُمْ ، وَيَسْعَى بذَمَّتِهِمْ أَدْنَاهُمْ ، وَلَا شُعَـ بذَمَّتِهِمْ أَدْنَاهُمْ ، وَهُـــمْ يَـــنْهُ - وَقَــالُ فِي عَهْدِهِ».
 وَهُـــمْ يَـــدٌ عَلَـــى مَنْ سِوَاهُمْ ، وَلاَ يُقْتَلُ مُؤْمِنٌ بِكَافِرٍ ، وَلاَ ذُو عَهْدٍ فِي عَهْدِهِ».
 وَصَحَّحَهُ الْحَاكمُ .

1205. The previous tradition was also transmitted by Ahmad, An-Nasâ'î and Abû Dawûd on the authority of 'Alî with a different chain of narrators where he said, 'The blood of one Muslim (his life) is equivalent to the blood of another Muslim (i.e. equal in Qisâs and blood money), the protection of Allâh is one (and is equally) extended to the most humble of the believers (i.e. if a Muslim gives protection to a man or to a group of men, they should all help him even is he was the most humble of them). Believers are all like one hand against their enemies. No believer is to be killed for a disbeliever (i.e. in Qisâs), nor should one who has a covenant with the Muslims be killed while his covenant holds.' Al-Hâkim graded it as Sahîh.

١٢٠٦ ــ وَعَنْ أَنسِ بْنِ مَالِك - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ جَارِيَةٌ وُجِدَ رُأْسُهَا فَكَرُوا فَكَ رُضَّ بَيْنَ حَجَرَيْنِ ، فَسَأَلُوهَا : مَنْ صَنَعَ بِكِ هَذَا ؟ فُلاَنٌ ، فُلاَنٌ ، خُلَقَ ذَكَرُوا بَهُوديًّ ، فَأَقَرَ ، فأَمَرْ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُرَضَّ رَأْسُهُ بَيْنَ حَجَرَيْنِ». مُثَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

1206. Anas bin Mâlik (RAA) narrated that a girl was found with her head crushed between two stones. They asked her, 'Who did that to you? Is it so and so, or so and so? They mentioned some names to her until they mentioned the name of a Jew, whereupon she nodded her head. The Jew was captured and he confessed. The Messenger of Allâh ordered that his head be crushed between two stones.' Agreed upon and the wording is from Muslim.

١٢٠٧ \_ وَعَـــنْ عِمْرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ غُلاَمًا لأُنَاسٍ فُقَرَاءَ قَطَـــعَ أُذُنَ غُـــلاَمٍ لأَنَاسٍ أَغْنِيَاءَ ، فَأَتُوا النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمْ يَجْعَلْ لَهُمْ شَيْئًا». رَوَاهُ أَحْمَدُ ، وَالتَّلاَئَةُ بِإِسْنَادٍ صَحِيحٍ .

1207. Tmrân bin Al-<u>Husain</u> (RAA) narrated that a slave of some poor people cut off the ear of another slave belonging to some rich people. They came to the Messenger of Allâh to but he appointed no compensation for them. 334' Related by Ahmad and the three Imâms with a sound chain of narrators.

١٢٠٨ ــ وَعَـــنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَلَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - : أَنَّ رَجُكْ اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : رَجُـــلاً طَعَنَ رَجُلاً بِقَرْن فِي رُكْبَته ، فَجَاءَ إِلَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : أَقَدْنِي . فَقَالَ : «قَالَ : أَقَدْنِي . فَأَقَادَهُ ، ثُمَّ جَاءَ إِلَيْهِ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، عَرَجْتُ ، فَقَالَ : «قَدْ نَهَيْتُكَ فَعَصَيْتَنِي ، فَأَبْعَدَكَ اللَّهُ ، وَبَطَلَ

<sup>334-</sup> Scholars have different opinions as to the reason for giving no compensation. Some say that it happened by accident, some say that maybe it was because his masters were poor so the Messenger of Allâh # gave him the compensation himself, some say that the boy was still immature and Allâh knows best.

عَـــرَجكَ» . ثُمَّ نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُقْتُصَّ مِنْ جُرْحٍ حَتَّى يَبْرَأ صَاحِبُهُ . رَوَاهُ أَحْمَدُ ، وَالدَّارَقُطْنِيُّ ، وَأُعِلَّ بِالإِرْسَالِ .

1208. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA), that a man stabbed another man in his knee with a horn. So he came to the Messenger of Allâh & and said, 'Retaliate on my behalf.' The Messenger of Allâh a said to him, "Wait until your wound has healed." The man came again and said, 'O Messenger of Allah! Retaliate on my behalf.' So, he allowed him to retaliate against the one who attacked him (by stabbing him the same way). Then he came again to the Messenger of Allâh & and said, 'O Messenger of Allâh!I have become lame.' The Messenger of Allâh & said to him, "I forbade you (to take retaliation until your wound was healed) but you disobeyed me, may Allâh keep you away from His mercy (for your disobedience), and as for your lameness you are not entitled to any compensation (as he retaliated before he discovered the lameness otherwise he would have been entitled half the Diyah)." Then Allâh's Messenger prohibited the following, 'No retaliation is to be made for a wound before the victim is totally recovered.' Related by Ahmad and Ad-Dâraqutnî.

١٢٠٩ - وَعَ-نُ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : افْتَتَلَت امْرَأَتَانِ مِنْ هُذَيْلٍ ، فَرَمَـتُ إَحْدَاهُمَا الأَخْرَى بِحَجَرٍ ، فَقَتَلَتْهَا وَمَا فِي بَطْنهَا ، فَاحْتَصَمُوا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ دَيَةَ جَنينها اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ دَيَةَ جَنينها غَـرَّةَ عَبْدُ أَوْ وَلِيدَةٌ ، وَقَضَى بِديَةِ الْمَوْأَةِ عَلَى عَاقِلَتِهَا ، وَوَرَّثَهَا وَلَدَهَا وَمَنْ مَعَهُمْ ، فَقَالَ حَمَلُ بْنُ النَّابِغَةِ الهُذَلِيُّ : يَا رَسُولَ اللَّهِ ، كَيْفَ يُعْرَمُ مَنْ لا شَرِبَ وَلا أَكُلُ ، وَلاَ اسْتَهُلُ ذَلِكَ يُطَلُّ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : وَسَلَّمَ وَسَلَّمَ : وَالاَ اسْتَهُلُ ، فَمَثْلُ ذَلِكَ يُطَلُّ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : وَاللَّهُ عَلَيْهِ وَسَلَّمَ : وَالَّهُ عَلَيْهِ وَسَلَّمَ : وَالاَ اسْتَهُلُ ، فَمَثْلُ ذَلِكَ يُطَلُّ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : وَاللَّهُ عَلَيْهِ وَسَلَّمَ : وَالاَ اسْتَهُلُ ، فَمَثْلُ ذَلِكَ يُطَلُّ . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : وَالاَ اسْتَهُوانِ الْكُهَانِ». مَنْ أَجْلِ سَجْعِهِ الَّذِي سَجَعَ . مُتَّفَقٌ عَلَيْهِ .

1209. Abû Hurairah (RAA) narrated, 'Two woman of the tribe of *Hudhail* fought with each other and one of them threw a stone at the other. In this way she killed the woman and what was in her womb (as she was pregnant). Their dispute was presented to

the Prophet is who ordained that the Diyah (blood money) of the unborn child, is a male or a female slave of the best quality. He also decided that the Diyah of the woman is to be paid by her relatives (the one who killed) on her father's side. 335 The Messenger of

Allâh ﷺ also ordained that her inheritance (of the woman who killed as she died later) be for her sons and husband (and not for her relatives who had to pay the Diyah). Hamal bin An-Nâbighah Al-Hudhailî then said, 'O Messenger of Allâh! Why should I pay the Diyah for one who neither drank nor ate nor spoke, nor cried (i.e. the dead fetus), such a creature is not entitled to blood money.' The Messenger of Allâh ﷺ then said, "This man is one of the brothers of the soothsayers," on account of the rhymed speech which he used, concerning the dead fetus.

١٢١٠ ــ وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ مِنْ حَديث ابْنِ عَبَّاسٍ : أَنَّ عُمَرَ - رَضِيَ اللَّهُ عَسَنْهُ - سَأَلَ : مَنْ شَهِدَ قَضَاءَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْحَنينِ ؟ اللَّهِ عَسَنْهُ - سَأَلَ : مَنْ شَهِدَ قَضَاءَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْحَنينِ ؟ قَضَالَ : كُنْتُ بَيْنَ يَدَي امْرَأَتَيْنِ ، فَضَرَبَتْ إَحْدَاهُمَا الْأَخْرَى - فَذَكَرَهُ مُخْتَصَرًا ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1210. Abû Dawûd and An-Nasâ'î narrated on the authority of Ibn 'Abbâs that 'Umar (RAA) asked about the judgment of the Prophet concerning the Diyah of the dead fetus. Hamal bin An-Nâbighah Al-Hudhailî then got up and said, "I was between the two women. One of them struck the other with a stone, killing her and what was in her womb. So the Messenger of Allâh ordained ...." (as above). Ibn Hibbân and al-Hâkim graded it as Sahîh.

١٢١١ ــ وَعَــنْ أَنَــس - رَضِــيَ اللَّهُ عَنْهُ - : أَنَّ الرُّبَيِّعِ بِنْتَ النَّضْرِ - عَمَّتَهُ - كَسَرَتْ ثَنِيَّةَ جَارِيَة ، فَطَلَبُوا إِلَيْهَا الْعَفْوَ ، فَأَبَوْا ، فَعَرَضُوا الأَرْشَ فَأَبَوْا ، فَأْتَوْا رَسُولَ اللَّهِ صَلَى اللَّهُ عَلَيْهِ اللَّهِ عَلَيْهِ وَسَلَّمَ ، فَأَبُوا إِلاَّ القِصَاصَ ، فَأَمَرَ رَسُولُ اللَّهِ صَلَى اللَّهُ عَلَيْهِ وَسَـلَمَ ، فَقَالَ أَنَسُ بْنُ النَّصْرِ : يَا رَسُولَ اللَّهِ ، أَتُكْسَرُ ثَنِيَّةُ الرُّبَيِّعِ ؟ لاَ ، وَسَــلَمَ بِالْقِصَاصِ ، فَقَالَ أَنسُ بْنُ النَّصْرِ : يَا رَسُولَ اللَّهِ ، أَتُكْسَرُ ثَنِيَّةُ الرُّبَيِّعِ ؟ لاَ ،

<sup>335-</sup> There was no Qisâs in this case, as the woman did not intend to kill her. She only used a small stone or the like.

وَالَّـــذِي بَعَثَكَ بِالْحَقِّ ، لاَ تُكْسَرُ نَنِيَّتُهَا . فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَا أَنَسُ ، كَتَابُ اللَّهِ الْقَصَاصُ». فَرَضِيَ الْقَوْمُ فَعَفَوْا . فَقَـــالَ رَسُــولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ مِنْ عِبَادِ اللَّهِ مَنْ لَوْ أَقْسَمَ عَلَى اللَّهِ لَأَبَّهُ مَنْ لَوْ أَقْسَمَ عَلَى اللَّهِ لَأَبَرَّهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّهُ ظُ لِلْبُحَارِيِّ .

1211. Anas narrated that Ar-Rubai' bint An-Nadr (his aunt) broke the incisor teeth of a girl. The family of Ar-Rubai' asked the family of the girl to pardon her, but they refused. They then offered them  $Arsh^{336}$ , (as compensation) but they also refused. They came to the Messenger of Allâh asking for Qisas, and he gave orders that they should take their Qisas from Ar-Rubai'. Anas bin An-Nadr then came to the Messenger of Allâh and said, 'O Messenger of Allâh! Will the incisor tooth of Ar-Rubai' be broken? No, by Him Who sent you with the truth, her incisor tooth will not be broken. The Messenger of Allâh then said to him, "Anas! Allâh's decree is equal retaliation." But the family of the girl agreed to pardon Ar-Rubai'. The Messenger of Allâh then said, "Among Allâh's servants are those who if they swear by Allâh for something), Allâh will consent to their oath." Agreed upon, and the wording is from Al-Bukhârî.

١٢١٢ ـــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قُتِلَ فِي عَمِّيًا ، أَوْ رِمِّيَا بَحَجَرِ ، أَوْ سَوْط ، أَوْ عَصَا، فَعَقْلُهُ عَقْلُ الْخَطَإِ ، وَمَنْ قُتِلَ عَمْدًا فَهُو قَوَدٌ ، وَمَنْ حَالَ دُونَهُ فَعَلَيْهِ لَعْنَةٌ اللَّهِ». أَخْرَجَهُ أبو دَاوُدَ وَالنَّسَائِيُّ ، وَابْنُ مَاجَهُ بِإِسْنَادٍ قَوِيٌّ .

1212. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "If anyone is killed and his killer is not known<sup>337</sup>, or

<sup>336-</sup> Term used for blood money owed for injuries.

<sup>337-</sup> Such as the one killed in a fight between two families or two tribes and it is not definitely known who killed him or how he was killed. In this case the other family must take an oath that they did not kill the victim, and if it is known who killed him (which group of people or which family) they would share his *Diyah* (for a death caused by mistake) Other-

was killed with a stone, a whip or with a stick (i.e. killed by mistake but with a deliberate injury) his *Diyah* will be that of killing by mistake (manslaughter). As for whoever killed deliberately, retaliation is due (from the one who killed him). Anyone who tries to prevent taking *Qisâs* (from the killer) may Allâh curse him." Related by Abû Dawûd, An-Nasâ'î and Ibn Mâjah with a strong chain of narrators.

١٢١٣ ــ وَعَــنِ ابْــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «إِذَا أَمْسَــكَ السَرَّجُلُ الرَّجُلُ وَقَتَلَهُ الآخَرُ يُقْتَلُ الَّذِي قَتَلَ ، وَيُحْبَسُ الَّذِي أَمْسَكَ». رَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً ، وَصَحَّحَهُ ابْنُ الْقَطَّانُ ، وَرِجَالُهُ ثِقَاتٌ ، إِلاَّ أَنَّ الْبَيْهَتِيُّ رَجَّحَ الْمُرْسَلَ .

1213. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said,"If a man holds another man so that a third man can kill the seized one, then the one who killed is to be killed (in Qisâs) and the one who seized the killed one is to be imprisoned." Related by Ad-Dâraqutnî. Ibn al-Qattân graded it as Sahîh and its narrators are trustworthy.

١٢١٤ ــ وَعَــنْ عَــبْدِالرَّحْمَنِ بْنِ الْبَيْلَمَانِيِّ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَتَلَ مُسْــلِمًا بِمُعَــاهَد ، و قَالَ : «أَنَا أَوْلَى مَنْ وَفَى بِذِمَّتِهِ». أَخْرَجَهُ عَبْدُالرَّزَّاقِ هَكَذَا مُرْسلاً ، وَوَصَلَهُ الدَّارَقُطْنِيُّ بِذِكْرِ ابْنِ عُمَرَ فِيهِ ، وَإِسْنَادُ الْمَوْصُولِ وَاهِ .

1214. 'Abdur Rahmân bin Al-Bailamânî narrated that the Messenger of Allâh ﷺ killed a Muslim who killed a Mu'âhid³³³8 who had made a covenant with the Muslims, and said, "I am closest to the ones who keep their covenants of protection." Related by 'Abdur Razzâq.

wise, if it is difficult to identify the group of people who killed him, his Diyah is to be paid from the Muslim Treasury.

<sup>338-</sup> A Mu'āhid is a non Muslim who is residing in an Islâmic State with whom there is a covenant of peace and protection. The killing of such a person is murder.

١٢١٥ ـــ وَعَـــنِ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «قُتِلَ غُلاَمٌ غِيلَةً ، فَقَالَ عُمَرُ : لَوْ اشْتَرَكَ فِيهِ أَهْلُ صَنْعَاءَ لَقَتَلْتَهُمْ بِهِ». أَخْرَحَهُ الْبُخَارِيُّ .

1215. Ibn 'Umar (RAA) narrated, 'A young boy was murdered deceitfully. 'Umar (RAA) thereupon said,'If all the people of <u>San'â'</u> (in Yemen) participated in killing him, I would kill them all.'339 Related by al-Bukhârî.

١٢١٦ — وَعَـــنْ أَبِـــي شُرَيْحِ الْخُزَاعِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَــــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «فَمَنْ قُتِلَ لَهُ قِتيلٌ بَعْدَ مَقَالَتِي هَذِهِ فَأَهْلُهُ بَيْنَ خِيرَتَيْنِ : إِمَّا أَنْ يَأْخُذُوا الْعَقْلَ أَوْ يَقْتُلُوا». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ .

1216. Abû Shuraih Al-Khazâ'î (RAA) narrated that the Messenger of Allâh said, "If the relative of one of you is killed after my speech, his family has one of two choices: 'Either they take his *Diyah* or kill the killer." Related by Abû Dawûd and An-Nasâ'î.

1217. A similar narration is transmitted by Al-Bukhārî and Muslim on the authority of Abû Hurairah.

### بَسابُ السدُيَّسات

#### Chapter II: Types of Diyah (Blood money)

<sup>339-</sup> The incident happened when a man traveled and left his wife with their child. The woman and her lover killed the child for fear that he may tell the husband about it when he returned. Those involved were the woman, her lover, her servant and another man. When Umar knew about it from Yalâ bin Umaiyyah, his ruler in Yemen, he issued a decree that all of them must be killed as they killed him collectively.

أُوْلَيَاءُ الْمَقْتُولِ ، وَإِنَّ فِي النَّفْسِ الدَّيَةَ مَائَةً مِنَ الإِبلِ ، وَفِي الأَنْفَ إِذَا أُوعِبَ جَدْعُهُ الدَّيَبَةُ ، وَفِي الشَّفَتَيْنِ الدَّيَةُ ، وَفِي الشَّفَتَيْنِ الدَّيَةُ ، وَفِي الدَّيَةِ ، وَفِي الحَائِفَةِ ثُلُثُ الدَّيَة ، وَفِي الْمُنَقَّلَةِ خَمْسَ عَشَرَةً مِنَ الإِبلِ ، وَفِي السَّنِ خَمْسٌ الإِبلِ ، وَفِي السَّنِ خَمْسٌ الإِبلِ ، وَفِي السَّنِ خَمْسٌ الإَبلِ وَفِي السَّنِ خَمْسٌ مِنَ الإِبلِ ، وَإِنَّ الرَّجُلِ عَشْرٌ مِنَ الإِبلِ ، وَفِي السَّنِ خَمْسٌ مِنَ الإِبلِ ، وَإِنَّ الرَّجُلِ عَشْرٌ مِنَ الإِبلِ وَفِي السَّنِ خَمْسٌ مِنَ الإِبلِ ، وَإِنَّ الرَّجُلِ عَشْرٌ مِنَ الإِبلِ ، وَالنَّسَائِيُّ ، وَالنَّ الدَّيْ المَرْأَةِ ، وَعَلَى أَهْلِ الدَّهُ الدَّهُ عَشْرٌ مِنَ الإِبلِ وَفِي السَّنِ خَمْسٌ مِنَ الإِبلِ ، وَإِنَّ الرَّجُلِ عَشْرٌ مِنَ الإِبلِ وَفِي السَّنِ خَمْسٌ مِنَ الإِبلِ ، وَإِنَّ الرَّجُلِ عَشْرٌ مِنَ الإِبلِ وَفِي السَّنِ خَمْسٌ اللَّهِ اللْمَرَافِقِ ، وَابْنُ خُرَبِّهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَالنَّسَائِيُّ ، وَابْنُ خُرَيْمَةَ ، وَابْنُ خُرَيْمَةً ، وَابْنُ خُرَيْمَة ، وَابْنُ خُرَيْمَةً ، وَابْنُ خُرَيْمَة ، وَابْنُ خُرَيْمَة ، وَابْنُ خُرَيْمَة ، وَابْنُ حُرَامُهُ أَلُو دَاوُدَ فِي صِحَتِهِ .

1218.Abû Bakr bin Muhammad bin 'Amro bin Hazm narrated on the authority of his father on the authority of his grandfather (RAA) that 'The Messenger of Allâh & wrote to the people of Yemen (mentioning the hadîth which included), 'Whoever kills a believer deliberately for no reason or a crime that he committed. he should be killed (in retaliation), unless the family of the murdered person agrees to take *Diyah* (blood money). The *Diyah* for a life is a hundred camels. Full blood money (i.e. total Divah of 100 camels) is paid for the total cut off of each of the following: the nose, the eyes, the tongue, the lips, the penis, the testicles and the backbone. 340 For the cutting off of one leg; half a *Divah* is paid (i.e. 50 camels). For a head injury a third of the Diyah is paid, for a stab which penetrates the body, one third of the Diyah, for a blow which breaks a bones or dislocates it, 15 camels. For each finger or toe, 10 camels are paid. For each tooth five camels are paid. For a wound which exposes a bone five camels are paid. A man is killed in Qisas for killing a woman. For those who possess gold, they should pay the equivalent of the 100 camels which is fixed as one thousand Dînârs.' Related by Abû Dawûd in his book "al-Marâsîl", an-Nasâ'î, Ibn Khuzaimah, Ibn al-Gârûd, Ibn Hibbân and Ahmad, but they disagreed regarding its authenticity.

<sup>340-</sup> A full Diyah is due in this case, as each of these organs are either impaired (i.e. cannot be compensated), or the full pair is cut off (such as the ears, the lips etc..)

١٢١٩ ــ وَعَــنِ ابْــنِ مَسْعُود عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «دِيَةُ الْخَطَا أَخْمَاسًــا ، عِشْرُونَ حِقَّةً ، وَعِشْرُونَ جَذْعَةً ، وَعِشْرُونَ بَنَاتِ مَخَاضٍ ، وَعِشْرُونَ بِــنَاتِ لَبُونَ ، وَعِشْرُونَ بَنِي لَبُون». أَخْرَجَهُ الدَّارَقُطْنِيُّ ، وَأَخْرَجَهُ الأَرْبَعَةُ بِلَفْظِ : «وَعِشْرُونَ بَنِي مَخَاضٍ» بَدَلَ «لَبُون» وَإِسْنَادُ الأَولِ أَقْوَى ، وَأَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ مِنْ وَجْهِ آخَرَ مَوْقُوفًا ، وَهُو أَصَحُ مِنَ الْمَرْفُوعِ .

1219. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh said, "The Diyah for accidental killing is paid in five types of camel indemnity<sup>341</sup>: 20 she-camels 'hiqqah' (in their fourth year), 20 she-camels 'Jaz'ah' (in their fifth year), 20 she-camels 'bint makhâd' (in their second year), 20 she-camels 'bint labûn' (in their third year) and 20 he-camels 'ibn labûn' (in their third year)."Related by Ad-Dâraqutnî with a strong chain of narrators. The four Imâms reported it with this version, "twe-nty 'ibn makhâd' (twenty male camels which had entered their second year)," instead of "ibn labûn."

١٢٢٠ ـــ وَأَخْــرَجَهُ أَبُـــو دَاوُدَ وَالـــتُرْمِذِيُّ مِنْ طَرِيقِ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ
 عَـــنْ جَـــدَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - رَفْعَهُ : «الدَّيَةُ ثَلاَثُونَ حِقَّةً ، وَثَلاَثُونَ جَذَعَةً ،
 وَأَرْبَعُونَ خَلِفَةً ، فِي بُطُونِهَا أَوْلاَدُهَا».

1220. Abû Dawûd and At-Tirmidhî transmitted on the authority of 'Amro bin Shu'aib on his father's authority, who reported from his grandfather (RAA), who reported that the Messenger of Allâh said, "The Diyah (of intentional homicide) is paid in three different types of camels<sup>342</sup>: 30 she-camels 'hiqqah' (in their fourth year), 30 she-camels 'Jaz'ah' (in their fifth year), and 40 pregnant she-camels."

<sup>341-</sup> This Diyah is less severe in that its payment is deferred, and paid in five different types of camels. Some scholars say that it could be paid over a period of three years.

<sup>342-</sup> This Diyah is severe in that it is to be paid immediately and paid in three different good types of camels.

١٢٢١ ـــ وُعَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ أَعْتَى النَّاسِ عَلَى اللَّهِ ثَلاَئَةٌ : مَنْ قَتَلَ فِي حَرَمِ اللَّهِ ، أَوْ قَتَلَ غَيْرَ قَاتِلِهِ أَوْ قَتَلَ لِذَحْلِ الْحَاهِلِيَّةِ». أَخْرَجَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ صَحَّحَهُ .

1221. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Three types of people are most hated by Allâh, the Almighty: whoever kills another in the Sacred area of <u>Haram (Sanctuary)</u>, whoever kills anyone other than the one who killed him or whoever kills anyone in revenge as in times of Jâhiliyah (pre-Islâmic times)." Related by Ibn <u>Hibbân</u>.

١٢٢٢ ـــ وَعَـــنْ عَبْداللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهَ صَـــلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَلاَ إِنَّ دَيَةَ الْخَطَإِ وَشَبْهِ الْعَمْدِ - مَا كَانَ بِالسَّوْطَ وَالْعَصَـــا - مَاتَةٌ مِنَ الإِبلِ ، مِنْهَا أَرْبَعُونَ فِي بُطُونِهَا أَوْلاَدُهَا». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَةً ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1222. 'Abdullâh Ibn 'Amro ibn al-'Âs (RAA) narrated that the Messenger of Allâh said, "The Diyah for accidental and quasi-deliberate homicide -such as that inflicted with a whip or a stick- is a hundred camels, forty of which are pregnant she-camels." Related by Abû- Dawûd, An-Nasâ'î and Ibn Mâjah. Ibn Hibbân graded it as Sahîh.

آلاً: «هَذه و هَذه سَوَاءٌ - يَعْنِي اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «هَذه و هَذه سَوَاءٌ - يَعْنِي الْخِنْصَرَ وَالإِبْهَامِ». رَوَاهُ الْبُخَارِيُّ ، وَلاَبِي دَاوُدَ قَالَ: «هَذه و هَذه سَوَاءٌ - يَعْنِي الْخِنْصَرَ وَالإِبْهَامِ». رَوَاهُ الْبُخَارِيُّ ، وَلاَبِي دَاوُدَ وَالتَّرْمِذِيِّ ؛ «دِيَةُ الأَصَابِعِ سَوَاءٌ ، وَالأَسْنَانُ سَوَاءٌ : التَّنْيَّةُ وَالضِّرْسُ سَوَاءٌ». وَالتَّرْمِذِيِّ أَصَابِعِ الْيَدَيْنِ وَالرِّجْلَيْنِ سَوَاءٌ ، عَشَرَةٌ مِنَ الإِبلِ لِكُلِّ إِصْبَعِ». وَلاَبْنِ حَبَّانَ : «دِيَةُ أَصَابِعِ الْيَدَيْنِ وَالرِّجْلَيْنِ سَوَاءٌ ، عَشَرَةٌ مِنَ الإِبلِ لِكُلِّ إِصْبَعِ». 1223. Ibn Abbâs (RAA) narrated that the Messenger of Allâh said, "This and that are equal -meaning the little finger and the thumb." Related by Al-Bukhârî. Abû Dawûd and At-Tir-

霧 said, "This and that are equal -meaning the little finger and the thumb." Related by Al-Bukhârî. Abû Dawûd and At-Tirmidhî transmitted, "The Diyah for the fingers and toes is the same, and that for the teeth is the same; the incisor and the molar tooth are the same." Ibn Hibbân narrated, "The Diyah for the fingers and toes is the same; 10 camels for each."

١٢٢٤ ــ وَعَـــنْ عَمْــرِو بْنِ شُعَيْب عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - رَفَعَهُ قَـــالَ : «مَـــنْ تَطَبَّبَ ، وَلَمْ يَكُنْ بِالطَّبِّ مَعْرُوفًا - فَأَصَابَ نَفْسًا فَمَا دُونَهَا ، فَهُو ضـــامِنْ». أَخْــرَجَهُ الدَّارَقُطْــنِيُّ وَصَحَّحَهُ الْحَاكِمُ ، وَهُوَ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ وَغِيْرِهَمَا ، إِلاَّ أَنْ مَنْ أَرْسَلَهُ أَقْوَى مِمَّنْ وَصَلَهُ .

1224. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh said, "Anyone who practices medicine but is not known as a practitioner, and kills a human being or inflicts harm on him, will be held responsible." Related by Ad-Dâraqutnî. Al-Hâkim graded it as <u>Sahîh</u>. Abû Dawûd, an-Nasâ'î and others also narrated it, but its *Mursal* form is stronger than the connected one.

١٢٢٥ ـــ وَعَـــنْهُ: أَنَّ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «فِي الْمَوَاضِحِ خَمْسٌ، خَمْــسٌ، مِـــنَ الإِبَلِ». رَوَاهُ أَحْمَدُ، وَالأَرْبَعَةُ، وَزَادَ أَحْمَدُ: «وَالأَصَابِعُ سَوَاءٌ، كُلُّهُنَّ عَشْرٌ مِنَ الإِبلِ»، وَصَحَّحَهُ ابْنُ حَزْيْمَةَ وَابْنُ الْحَارُودِ.

1225. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh said, "For a wound which exposes a bone five camels are paid (in compensation)." Related by Ahmad and the four Imâms. Ahmad added the following statement, "And the fingers and toes are all equal- in Diyah- ten camels." Ibn Khuzaimah and Ibn al-Gârûd graded it as Sahîh.

١٢٢٦ \_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَقْلُ أَهْلِ الذِّمَّةِ نَصْفُ عَقْلِ الْمُسْلِمِينَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ . وَلَفُظُ أَبِي دَاوُدَ : «ديَةُ الْمُعَاهِدِ نِصْفُ ديَةِ الْحُرِّ». وَلَفُظُ أَبِي دَاوُدَ : «عَقْلُ الْمُرَاَّةِ مِثْلُ عَقْلِ الرَّجُلِ حَتَّى يَبْلُغَ النَّلُتَ مِنْ دِيَتِهَا». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ .

1226. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger

of Allâh said, "The Diyah of the Dhimmî<sup>343</sup> is half that of a Muslim." Related by Ahmad and the four Imâms. The narration of Abû Dawûd, "The Diyah of the Mu'âhid (non Muslim with a covenant of protection) is half the Diyah of a free Muslim." In the narration of An-Nasâ'î, "The Diyah of a woman is the same as the Diyah of a man up to the third of the value (if the due value exceeds the third then her Diyah is half that of the man)." Ibn Khuzaimah graded it as <u>Sahîh</u>.

١٢٢٧ ـ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ ; قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «عَقْـلُ شِـبْهِ الْعَمْـدِ ، وَلاَ يُقْتَلُ صَاحِبُهُ ، وَذَلِكَ أَنْ يَنْزُوَ «عَقْـلُ شِـبْهِ الْعَمْـدِ ، وَلاَ يُقْتَلُ صَاحِبُهُ ، وَذَلِكَ أَنْ يَنْزُو الشَّـيْطَانُ فَــتَكُونَ دِمَـاءٌ بَــيْنَ النَّاسِ فِي غَيْرِ ضَغِينَةٍ وَلاَ حَمْلِ سِلاَحٍ». أَخْرَجَهُ النَّارُ وَقُطْنَيُّ ، وَضَعَّفَهُ .

1227. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA) that the Messenger of Allâh said, "The Diyah of the quasi-deliberate homicide is as severe as deliberate murder (in its being given in three types of camels), and the offender is not to be killed. This happens when the devil excites enmity between people causing them to shed blood but not due to hatred or carrying weapons in fighting." Related by Ad-Dâraqutnî and graded it as weak Hadîth.

١٢٢٨ ـــ وَعَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «قَتَلَ رَجُلَّ رَجُلاً عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دِيَتَهُ اثْنَيْ عُشُرً أَلْفًا». رَوَاهُ الأَرْبَعَةُ ، وَرَجَّحَ النَّسَائِيُّ ، وَأَبْو حَاتِمٍ إِرْسَالَهُ .

1228. Ibn 'Abbâs (RAA) narrated that, 'A man killed another man during the lifetime of the Prophet , so the decided that his Diyah would be 12 thousand (Dirhams).' Related by the four Imâms.

<sup>343-</sup> A non-Muslim; Christian or Jew, living under the protection of an Islâmic government

١٢٢٩ ـــ وَعَـــنْ أَبِــي رِمْنَةً - رَضِيَ اللَّهُ عَنْهُ - قَالُ : أَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَعِي ابْنِي ، فَقَالَ : «مَنْ هَذَا ؟» فَقُلْتُ : ابْنِي وَأَشْهَدُ بِهِ . فَقَالَ : «أَمَّا إِنَّهُ لاَ يَحْنِي عَلَيْكَ وَلاَ تَحْنِي عَلَيْهِ». رَوَاهُ النَّسَائِيُّ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةً ، وَابْنُ الْحَارُودِ .

1229. Abû Rimthah narrated, 'I came to the Prophet \* with my son and he asked me, "Who is this?" I answered, 'This is my son, and I swear on it.'344 The Messenger of Allâh \* said, "He will not carry your burdens' (sins) and you will not carry his burdens." Related by An-Nasâ'î and Abû Dawûd. Ibn Khuzaimah and Ibn al-Gârûd graded it as <u>Sahîh</u>.

## بَسابُ دَعْسوَى السِدَّمِ وَالْقَسَامِسةِ

# Chapter III: Claiming the Right to Qisâs and Qasâmah (taking an oath)

١٢٣٠ - عَــنْ سَــهُل بْــنِ أَبِي حَنْمَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنْ رِجَالِ مِنْ كَبَرَاءِ قَوْمِــه : أَنَّ عَــبْدَ اللَّهِ بْنَ سَهْلٍ وَمُحَيِّصَةَ بْنِ مَسْعُود ، خَرَجَا إِلَى خَيْبَرَ مِنْ جَهْدَ أَصَــابَهُمْ ، فَأْتِي مُحَيِّصَةُ فَأُخْبِرَ أَنَّ عَبْدَ اللَّهِ بْنَ سَهْلٍ قَدْ قُتِلَ وَطُرِحَ فِي عَيْنِ فَأَتَى يَهُودَ ، فَقَالَ : أَنْتُمْ وَاللَّهِ قَتَلْتُمُوهُ . قَالُوا : وَاللَّه مَا قَتَلْنَاهُ . فَأَقْبَلَ هُوَ وَأَخُوهُ حُويِّصَةُ يَهُودَ ، فَقَالَ رَسُولُ اللهِ صَلّى اللّهُ عَلَيْه وَعَبْدُ الرَّحْمَنِ بْنُ سَهْلٍ ، فَذَهَبَ مُحَيِّصَةُ لِيَتَكَلَّمَ ، فَقَالَ رَسُولُ اللهِ صَلّى اللّهُ عَلَيْه وَسَلّمَ : «وَسَلّمَ : «وَسَلّمَ أَنْ يَدُوا صَاحِبَكُمْ ، وَإِمَّا أَنْ يَأْذُنُوا بِحَرْبِ» ، اللّه عَلَيْه وَسَلّمَ : «إمَّا أَنْ يَدُوا صَاحِبَكُمْ ، وَإِمَّا أَنْ يَأْذُنُوا بِحَرْبِ» ،

<sup>344-</sup> In another narration, the Messenger of Allâh % asked him again, 'Is it true that he is your som?' The man then said I bear witness to it. The Messenger of Allâh % smiled because of the resemblance between the father and son and for the fact that the father took an oath on this matter.

<sup>345-</sup> Any action which entails Qisas or punishment.

فَكَتَـبَ إِلَيْهِمْ فِي ذَلِكَ ، فَكَتُبُوا : إِنَّا وَاللَّهِ مَا قَتَلْنَاهُ . فَقَالَ لِحُوَيِّصَةَ ، وَمُحَيِّصَةَ ، وَعَـبْدِالرَّحْمَٰنِ بْسِنِ سَهْلٍ : «أَتَحْلِفُونَ ، وَتَسْتَحِقُونَ دَمَ صَاحِبِكُمْ ؟» قَالُوا : لا . قَـالًا : «فَيَحْلِفُ لَكُمْ يَهُودُ ؟» قَالُوا : لَيْسُوا مُسْلِمِينَ . فَوَدَاهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهُ وَ سَلَّمَ مِنْ عِنْدِهِ فَبَعَثَ إِلَيْهِمْ مِائَةَ نَاقَةٍ ، قَالَ سَهْلٌ : فَلَقَدْ رَكَضَتْنِي مِنْهَا نَاقَةٌ عَلَيْهُ . مَثَفَقٌ عَلَيْه .

1230. Sahl bin Abî Khaithamah (RAA) narrated on the authority of some honored men from his people that 'Abdullah bin Sahl and Muhaiysah bin Mas'ûd, went out to Khaibar because of a hardship they were undergoing. Muhaiysah came and told them that 'Abdullâh bin Sahl had been killed and thrown into a well. He came to the Jews and said to them, 'I swear by Allâh that you have killed him.' They replied, 'We swear by Allâh that we have not killed him.' Then Muhaiysah came along with his brother Huwaiysah and 'Abdur Rahman bin Sahl to the Prophet 🕿 and Muhaiysah started to talk. The Messenger of Allâh said to him, "Let an older one speak (take charge of this matter)." So Huwaiysah narrated what happened and then Muhaiysah spoke. The Messenger of Allâh said, Either they pay the Diyah of your companion or be ready for war." The Messenger of Allâh 3 wrote to them about this and they wrote back saying, 'By Allâh, we have not killed him.' The Messenger of Allah & then said to Huwaiysah, Muhaiysah and 'Abdur Rahmân bin Sahl, "Would you take an oath (that they killed him) and then you will be entitled to the Diyah of your companion." They answered, 'No (as they did not witness the crime).' The Messenger of Allâh 🎏 then said, "Then the Jews should take an oath (that they are innocent)." They said, 'They are not Muslims.' The Messenger of Allâh & thereupon paid the Diyah of the victim himself and sent them 100 camels. Sahl commented, 'A red she-camel (of these 100 camels) kicked me.' Agreed upon.

١٢٣١ ـــ وَعَـــنْ رَجُـــلٍ مِـــنَ الأَنْصَـــارِ : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقَرَّ الْقَسَامَةَ عَلَى مَا كَانَتْ عَلَيْهِ فِي الْجَاهِلِيَّةِ ، وَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَ نَاسٍ مِنَ الأَنْصَارِ فِي قَتِيلِ ادَّعَوْهُ عَلَى الْيَهُودِ». رَوَاهُ مُسْلِمٌ .

1231. A man from the Ansar narrated that the Messenger of Allah & consented to the Qasamah (taking an oath that they did not kill the victim), which was practiced during the time of Jahiliyah (pre-Islam) and the Messenger of Allah & made a judgment between some men from the Ansar concerning a man who was killed and they claimed that the Jews had killed him.' Related by Muslim.

## بَابُ قِتَالِ أَهْلِ الْبَغْسِي

# Chapter IV: Fighting Transgressors (who rebel against the ruler unjustly)

١٢٣٢ ــ عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ حَمَلَ عَلَيْنَا السِّلاَحَ فَلَيْسَ مِنَّا». مُتَّفَقٌ عَلَيْهِ .

1232. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Whoever carries arms against us, is not one of us." Agreed upon.

١٢٣٣ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قـــالَ : «مَنْ خَرَجَ عَنِ الطَّاعَةِ ، وَفَارَقَ الْجَمَاعَةَ ، وَمَاتَ ، فَمِيتَتُهُ مِيتَةٌ جَاهِلْيَةٌ». أَخْرَجَهُ مُسْلِمٌ .

1233. Abû Hurairah (RAA) narrated, "He who rebels against obedience to the ruler, abandons the Muslim community and then dies, his death will be as if he died at the time of Jâhiliyah." Related by Muslim.

١٢٣٤ ـــ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : تَقْتُل عمَّاراً الفئةُ البَاغيَةُ». رَوَاهُ مُسْلمٌ .

1234. Umm Salamah (RAA) narrated that the Messenger of Allâh ﷺ said, "The transgressing party will kill 'Ammâr ('Ammâr bin Yâsir)." Related by Muslim.

١٢٣٥ ــ وَعَــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالُ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «هَــلْ تَدْرِي يَا ابْنَ أُمِّ عَبْد ، كَيْفَ حُكْمُ اللَّهِ فِيمَنْ بَغَى مِنْ هَذِهِ الْأُمَّــةِ ؟» قَــالَ : اللَّــهُ وَرَسُولُ أَعْلَمُ . قَالُ : «لاّ يُجْهَزُ عَلَى جَرِيحِهَا ، وَلاَ يُقْتَلُ اللَّهُ فِيمَانَ عَلَى جَرِيحِهَا ، وَلاَ يُقْتَلُ اللَّهُ وَلَا يُقْتَلُ أَلَا يُحْهَزُ عَلَى جَرِيحِهَا ، وَلاَ يُقْتَلُ أَسِيرُهَا ، وَلاَ يُقْتَلُ وَصَحَحَهُ أَسِيرُهَا ، وَلاَ يُقْسَمُ فَيْوُهَا». رَوَاهُ الْبُزَّارُ ، وَالْحَاكِمُ ، وَصَحَحَهُ فَوْهَمَ مَنْرُوكً .

1235. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said "Do you realize Ibn Umm 'Abd346 what the ruling of Allâh is concerning those who rebel against the ruler in this Ummah?' I said, 'Allâh and His Messenger know best.' He said, "A wounded man among them is not to be given the last stroke (that kills him), their captive is not killed, the one who runs away is not followed and their booties are not divided (among other Muslims)." Related by Al-Bazzâr and al-Hâkim. The latter graded it as <u>Sahîh</u> but he was mistaken as Kawthar bin <u>H</u>akîm (one of the narrators) is a rejected narrator.

١٢٣٦ ـــ وَعَـــنْ عَرْفَجَةَ بْنِ شُرَيْحٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَنْ أَتَاكُمْ وَأَمْرُكُمْ جَمِيعٌ يُرِيدُ أَنْ يَفَرُّقَ جَمَاعَتَكُمْ فَاقْتُلُوهُ». أَخْرَجَهُ مُسْلِمٌ .

1236. 'Arfagah bin Shuraih (RAA) narrated, 'I heard the Messenger of Allâh ﷺ say, "He who comes to you when you are united and wants to disunite your community, kill him." Related by Muslim.

<sup>346-</sup> The one who is known as 'Ibn Umm 'Abd' is 'Abdullâh bin Mas'ûd, and may be Ibn 'Umar is narrating the hadîth on his authority.

### بَــابُ قِتَــالِ الْجَانِــي، وَقَتْــلِ الْمُرْتَــدُّ Chapter V: Fighting The Offender and Killing the Apostate

١٢٣٧ ــ عَـــنْ عَبْدِاللّهِ بْنِ عُمَرَ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّه عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهِ عَنْهُوَ شَهِيلاً». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَالنَّسَائِيُّ ، وَالنَّسَائِيُّ ، وَالنَّسَائِيُّ ، وَالنَّسَائِيُّ ،

1237. 'Abdullâh bin 'Umar narrated that the Messenger of Allâh said, "He who is killed while defending his property is considered a martyr." Related by Abû Dawûd An-Nasâ'î and At-Tirmidhî who graded it as <u>Sahîh</u>..

١٢٣٨ ــ وَعَــنْ عِمْرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَاتَلَ يَعْلَى بْنُ أُمَيَّةَ رَجُــلاً ، فَعَضَّ أَحَدُهُمَا صَاحِبَهُ ، فَانْتَزَعَ يَدَهُ مِنْ فَمِهِ ، فَنَزَعَ تَنيَّتُهُ ، فَاخْتَصَمَا إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «يَعَضُّ أَحَدُكُمْ كُمَّا يَعَضُّ الْفَحْلُ ؟ لاَ دِيَةَ لَهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِم .

1238. Imrân bin <u>Husain</u> (RAA) narrated, 'Ya'lâ bin Umaiyah fought with another man. One of them bit the other man's finger and the latter (whose finger was bit) pulled his hand out of the first man's mouth (who was biting) by force, causing his incisors teeth to be pulled out. They presented their dispute to the Prophet who said, "One of you bit his brother as a male camel bites? Go and there is not Diyah for him (as a punishment for their foolishness)." Agreed upon and the wording is from Muslim.

١٢٣٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ أَبُو القَاسِمِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لَوْ أَنَّ امْرَأَ اطَّلَعَ عَلَيْكَ بِغَيْرِ إِذْن ، فَحَذَفْتَهُ بِحَصَاة ، فَفَقَأْتَ عَيْنَهُ لَمْ يِكُنَّ عَلَــيْكَ جُــنَاحٌ». مُتَّفَقٌ عَلَيْهِ . وَفِي لَفْظٍ لأَحْمَدَ وَالنَّسَائِيِّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ : «فَلاَ دِيَةَ لَهُ وَلاَ قِصَاصَ» .

1239. Abû Hurairah (RAA) narrated that the Messenger of

Allâh ﷺ said, "If anyone spies on you (tries to look at you) without your permission, and you thereupon throw a stone at him and because of it he lost his eye, you are not to be blamed." Agreed upon. In another version by Ahmad and an-Nasâ'î and graded as <u>Sahîh</u> by Ibn <u>Hibbân</u>, "He has no right for Diyah or Qisâs."

١٢٤٠ ــ وَعَــنْ الــبَرَاء بْنِ عَازِب - رَضِيَ اللّهُ عَنْهُ - قَالَ : «قَضَى رَسُولُ اللّه صَــلّى اللّه عَنْهُ - قَالَ : «قَضَى رَسُولُ اللّه صَــلّى اللّه عَلَى أَهْلِهَا ، وَأَنَّ حِفْظَ الْمَاشِيَة بِاللّهُ إِلَّا اللّهِ عَلَى أَهْلِهَا ، وَأَنَّ حِفْظَ الْمَاشِيَة بِاللّهُ إِلَّ عَلَى أَهْلِهَا ، وَأَنَّ عَلَى أَهْلِ الْمَاشِيَة مَا أَصَابَتْ مَاشِيَتُهُمْ بِاللّيْلِ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ إِلاَّ التَّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَفِي إِسْنَادِهِ اخْتِلاَفْ .

1240. Al-Barâ' bin 'Âzib (RAA) narrated, 'The Messenger of Allâh 's ordained that the guarding of a garden is the responsibility of its owners during the day and the guarding of animals is the responsibility of their owners at night. However, the owners of the animals are responsible for any damage caused by their animals during the night (i.e. pay compensation for what they damaged of other's property).' Related by Ahmad and the four Imâms except At-Tirmidhî. Ibn Hibbân graded it as Sahîh.

١٢٤١ ـــ وَعَـــنْ مُعَاذِ بْنِ حَبَلِ ~ رَضِيَ اللَّهُ عَنْهُ - : «فِي رَجُلِ أَسْلَمَ ثُمَّ تَهَوَّدَ ، لاَ أَجْلِــسُ حَـــتَّى يُقْتَلَ ، قَضَاءُ اللَّهِ وَرَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَمِرَ بِهِ فَقُتِلَ». مُتَّفَقٌ عَلَيْهِ . وَفِي رِوَايَةٍ لأَبِي دَاوُدَ : وَكَانَ قَدِ اسْتُتِيبَ قَبْلَ ذَلِكَ .

1241. Mu'âdh bin Jabal (RAA) narrated - concerning a man who embraced Islâm and then turned to Judaism (i.e. apostated), I shall not sit down until he is killed. That is the Command of Allâh and His Messenger, and he gave an order that he must be killed and so he was.' Agreed upon.

In a version by Abû Dawûd, 'He was given a chance to repent and return to Islâm but he refused.

١٢٤٢ ـــ وَعَنِ ابْنِ عَبَّاسٍ – رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ بَدَّلُ دِينَهُ فَاقْتُلُوهُ». رَوَاهُ الْبُخَارِيُّ .

1242. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

蹇 said, "He who changes his religion (i.e. apostates) kill him." Related by Al-Bukhârî.

١٢٤٣ — وَعَــنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ أَعْمَى كَانَتْ لَهُ أُمُّ وَلَد تَشْتُمُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَتَقَعُ فِيهِ ، فَيَنْهَاهَا ، فَلاَ تَنْتَهِي ، فَلَمَّا كَانَتْ ذَاْتَ لَيْلَة أَخَذَ اللَّهُ عَلَيْهِ اللَّهُ عَلَيْهِ اللَّهُ عَلَيْهِ اللَّهُ عَلَيْهِ اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَلاَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَلاَ اشْهَدُوا فَإِنَّ دَمَهَا هَدَرٌ». رَوَاهُ أَبُو دَاوُد ، وَرُوَاتُهُ تِقَاتٌ .

1243. Ibn 'Abbâs (RAA) narrated, 'A blind man had a pregnant slave, who used to abuse the Messenger of Allâh and defame him. The blind man forbade her but she did not stop. One night she began to slander the Prophet so he took a n axe, placed it on her belly, pressed it and killed her. The Messenger of Allâh was told about it, and thereupon he said, "Oh people! Be witnesses that no Diyah is to be paid for her blood." Related by Abû Dawûd with a trustworthy chain of narrators.

<sup>347-</sup> Because she was slandering the Prophet 囊, so she is considered as a disbeliever and an apostate.

## كِتَسابُ الْحُسدُودِ

#### Book X: Hudûd or Prescribed Penalties in Islâmic Sharî'ah

### بَسابُ حَسدٌ الْسزَّانسي

#### Chapter I: The Prescribed Penalty (punishment) for Fornication

narrated that a Bedouin came to the Prophet and said, 'O Messenger of Allâh! I beseech you by Allâh, that you judge between us according to Allâh's Laws.' The man's opponent who was wiser than him got up and said, 'Yes, judge between us according to Allâh's Law and kindly allow me (to speak).' The Prophet said, "Speak." He said,'My son was a laborer working for that man (the Bedouin) and he committed illegal sexual intercourse with his wife, and I was informed that my son deserved to be stoned to death (as punishment for this offence). I ransomed him with one

hundred sheep and a slave girl. But when I asked the knowledgeable people they told me that my son should receive a hundred lashes and be exiled for a year, and the man's wife should be stoned to death. The Messenger of Allâh replied, "By Him in Whose Hands my soul is, I shall judge between you according to the Law of Allâh (i.e. His Book). The slave girl and the sheep are to be returned to you. As for your son, he has to receive one hundred lashes and be exiled for a year. O Unais! Go to this man's wife, and if she confesses, then stone her to death." Agreed upon, and this is Muslim's version.

١٢٤٥ ـــ وَعَـــنْ عُبَادَةَ بْنِ الصَّامِتِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «خُــــذُوا عَنِّي ، مُحذُوا عَنِّي فَقَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلاً ، الْبِكْرُ بِالْبِكْرِ جَلْدُ مِائَةٍ وَنَفْيُ سَنَةٍ ، وَالثَيِّبُ بِالثَّيْبِ جَلْدُ مِائَةٍ وَالرَّحْمُ». رَوَاهُ مُسْلِمٌ .

1245. Ubâdah bin As-Sâmit (RAA) narrated that the Messenger of Allâh said, "Receive from me (this revelation), receive from me (this revelation). Allâh has ordained a way for those women<sup>348</sup> (unmarried females who committed adultery). When an unmarried man, commits adultery with an unmarried woman, they should receive one hundred lashes and be exiled for a year<sup>349</sup>. If they (fornicate while they) were married, they shall receive hundred lashes and be stoned to death<sup>350</sup> Reported by Muslim.

<sup>348-</sup> The Messenger of Allâh & is referring to the verse (4:15) sûrat an-Nisâ', 
"...and if they testify, confine them (those women) to their houses 
until death, or (until) Allâh ordains for them some other way."

<sup>349-</sup> Imâm Mâlik is of the opinion that a woman is not to be exiled as this will expose her to hardship, and she is not allowed to travel on her own anyway. She should only be flogged a hundred lashes, and the male is to be flogged and exiled. Other scholars say that if she is exiled she must be with a mahram.

<sup>350-</sup> Most scholars are of the opinion that there is no need for flogging and that stoning is sufficient for the (married) adulterer and the adulteress. Their evidence is that the Prophet 28 did not combine flogging and stoning in the punishment of Mâiz and only stoned him to death. This is also evident in this hadîth as the Prophet 25 did not order Unais to flog her

١٢٤٦ ــ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : أَتَى رَجُلَّ مِنَ الْمُسْلِمِينَ رَسُــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - وَهُوَ فِي الْمَسْجِدِ - فَنَادَاهُ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي اللَّهِ ، إِنِّي زَنَيْتُ . فَأَعْرَضَ عَنْهُ فَتَنَحَّى تِلْقَاءَ وَجْهِهِ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، إِنِّي اللَّهِ ، إِنِّي زَنَيْتُ . فَأَعْرَضَ عَنْهُ ، حَتَّى ثَنَى ذَلِكَ عَلَيْهِ أَرْبَعَ مَرَّاتَ ، فَلَمَّا شَهِدَ عَلَى نَفْسِهِ أَرْبَعَ رَنَيْتُ . فَأَعْرَضَ عَنْهُ ، حَتَّى ثَنَى ذَلِكَ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَبِكَ جُنُونً ؟» قَالَ : لاَ . شَهَادَات دَعَاهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَبِكَ جُنُونً ؟» قَالَ : لاَ . فَقَالَ : «فَهَالُ النَّبِيُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اذْهَبُوا بِهِ فَالْ : «فَهَالْ النَّبِيُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اذْهَبُوا بِهِ فَالْ : «فَهَالٌ النَّبِيُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اذْهَبُوا بِهِ فَارْجُمُوهُ». مُتَّفُقً عَلَيْهِ .

to the Prophet while he was in the mosque, and called him saying, 'O Messenger of Allâh! I have committed adultery.' The Messenger of Allâh turned his face away from him, so the man came round (from the other side) towards his face and said, 'O Messenger of Allâh! I have committed adultery.' The Messenger of Allâh! I have committed adultery.' The Messenger of Allâh again turned his face away from him, but the man repeated his statement four times. When he testified four times that he did it, the Messenger of Allâh called him saying, "Are you insane?" The man said, 'No.' The Messenger of Allâh then asked him, "Are you married?" The man answered, 'Yes.' The Messenger of Allâh then akked him, "Are you married?" The man answered, 'Yes.' The Messenger of Allâh then away and stone him (to death)." Agreed upon.

١٢٤٧ ـــ وَعَـــنِ ابْـــنِ عَبَّاسِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : لَمَّا أَتَى مَاعِزُ بْنُ مَـــالِك إِلَـــى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَهُ : «لَعَلَّكَ قَبَّلْتَ ، أَوْ غَمَزْتَ ، أَوْ نَظَرْتَ ؟» قَالَ : لاَ ، يَا رَسُولَ اللَّه . رَوَاهُ الْبُحَارِيُّ .

1247. Ibn 'Abbâs (RAA) narrated, 'When Mâ'iz came to the Prophet & (admitting that he had committed adultery), he said to

first, but just to stone her. Some scholars are also of the opinion that this hadîth is abrogated as it was the first to be revealed, concerning the punishment of the married adulterer and adulteress while the story of Mâ'iz occurred at a later time.

<sup>351.</sup> He is Mâ'îz al-Aslamî as evidenced by the following hadîth.

him, "Perhaps you have just kissed, or touched or looked (at the woman)." Mâ'iz said, 'No, O Messenger of Allâh.' Related by Al-Bukhârî.

١٢٤٨ \_ وَعَــنْ عُمَــرَ بْنِ الْخَطَّابِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّهُ خَطَبَ فَقَالَ : 
﴿إِنَّ اللَّــهَ بَعَثَ مُحَمَّدًا بِالْحَقِّ ، وَأَنْزَلَ عَلَيْهِ الْكِتَابِ ، فَكَانَ فِيمَا أَنْزَلَ اللَّهُ عَلَيْهِ آيَةُ 
الــرَّجْمِ ، قَرَأْنَاهَا ، وَوَعَيْنَاهَا وَعَقَلْنَاهَا ، فَرَجَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، 
وَرَجَمْــنَا بَعْدَهُ ، فَأَخْشَى إِنْ طَالَ بِالنَّاسِ زَمَانٌ أَنْ يَقُولَ قَائِلٌ : مَا نَحِدُ الرَّجْمَ فِي 
وَرَجَمْــنَا بَعْدَهُ ، فَأَخْشَى إِنْ طَالَ بِالنَّاسِ زَمَانٌ أَنْ يَقُولَ قَائِلٌ : مَا نَحِدُ الرَّجْمَ فِي 
كِــتَابِ اللَّهِ ، وَإِنَّ الرَّجْمَ حَقِّ فِي كَتَابِ اللَّه 
- تَعَالَى - : عَلَى مَنْ زَنَى ، إِذَا أَحْصَنَ مِنَ الرِّجَالِ وَالنَّسَاءِ ، إِذَا قَامَتِ الْبَيِّنَةُ ، أَوْ 
كَانَ الْحَبْلُ أَو الإعْتِرَافُ». مُتَّفَقٌ عَلَيْه .

the people and said, 'Verily Allâh has sent Muhammad with the Truth and sent down the Book to him, and the verse of stoning was included in what Allâh sent down. We recited, memorized and comprehended it. The Messenger of Allâh accordingly (to what was in the verse) stoned to death (whoever committed adultery while being married), and we stoned after his death. But I am afraid that after a long time passes, someone may say, 'We do not find the Verses of stoning in Allâh's Book, 352 and thus they may go astray by abandoning an obligation that Allâh has sent down. Verily, stoning is an obligation in the Book of Allâh to be inflicted on married men and women who commit adultery, when their crime is proven, 353 evident by pregnancy, or through the confession (of the adulterer).' Agreed upon.

<sup>352-</sup> A Qur'ânic verse was revealed prescribing the punishment of stoning, but according to the opinion of the majority of the companions and scholars, it was later abrogated, regarding its recitation in the Qur'ân, but its verdict still applies as proven by the Sunnah. The Prophet ## and the companions after his death continued to apply this punishment for the married culprit.

<sup>353-</sup> The evidence required in this crime is: either four witnesses, confession by the one who committed it, or pregnancy which applies only to women. The majority of scholars are of the opinion that pregnancy by itself is not a sufficient sign to inflict the punishment unless it is accompanied

١٢٤٩ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : سَمعْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِذَا زَنَتْ أَمَةُ أَحَدَكُمْ فَتَبَيَّنَ زِنَاهَا فَلْيَحْلِدُهَا الْحَدَّ ، وَلاَ يُثَرِّبْ عَلَيْهَا ، ثُمَّ إِنْ زَنَتْ فَلْيَحْلِدُهَا الْحَدَّ ، وَلاَ يُثَرِّبْ عَلَيْهَا ، ثُمَّ إِنْ زَنَتِ النَّالِثَةَ فَتَبَيَّنَ زِنَاهَا فَلْيَبِعْهَا وَلَوْ بِحَبْلٍ مِنْ شَعَرٍ». مُتَّفَقٌ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

of Allâh say, "When the slave-woman of one of you commits adultery and she is proven guilty (through witnesses or confession), he should flog her as prescribed (for the slave woman),354 but he should not admonish her. If she does this again, then she should be flogged again but he should not admonish her. If she commits it for the third time, and she is proven guilty, then he must sell her even if it was for a rope of hair." Agreed upon, and the wording is from Muslim.

١٢٥٠ ــ وَعَنْ عَلِيٍّ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَقِيمُوا الْحُدُودَ عَلَى مَا مَلَكَتْ أَيْمَانُكُمْ». رَوَاهُ أَبُو دَاوُدَ ، وَهُوَ فِي مُسْلِمٍ مَوْقُوفٌ .

1250. 'Alî (RAA) narrated that the Messenger of Allâh ﷺ said, "Inflict the prescribed punishment on those whom you possess (i.e. your slaves)." Related by Abû Dawûd and Muslim (but only traced to the Companion).

١٢٥١ ـــ وَعَـــنْ عِمْرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - : أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ أَتَتِ النَّـــبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - وَهِيَ حُبْلَى مِنَ الزَّنَا - فَقَالَتْ : يَا نَبِيَّ اللَّهِ ، أَصَبْتُ حَدًّا ، فَأَقِمْهُ عَلَيْ . فَدَعَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَلِيَّهَا ، فَقَالَ : «أَحْسِنْ

with confession or witnesses. Mâlik on the other hand believes that the pregnancy of an unmarried woman who was not forced to commit fornication, is sufficient to inflict punishment taking this hadîth as evidence.

<sup>354-</sup> The Messenger of Allâh is referring to the verse, "And after they have been taken in wedlock, if they commit illegal sexual intercourse, their punishment is half that for free (unmarried) women." (4:25). The punishment referred to in this verse is 50 lashes.

إِلَيْهَا ، فَإِذَا وَضَعَتْ فَائْتِنِي بِهَا» فَفَعَلَ ، فَأَمَرَ بِهَا فَشُكَّتْ عَلَيْهَا ثِيَابُهَا ، ثُمَّ أَمَرَ بِهَا فَشُكَّتْ عَلَيْهَا ثِيَابُهَا ، ثُمَّ أَمْرَ بِهَا فَشُكَّتْ عَلَيْهَا يَا نَبِيَّ اللَّهِ وَقَدْ زَنَتْ ؟ فَرُحمَـتْ ، ثُلِمَ عَلَيْهَا يَا نَبِيَّ اللَّهِ وَقَدْ زَنَتْ ؟ فَقَالَ عُمَّرُ : أَتُصَلِّي عَلَيْهَا يَا نَبِيَّ اللَّهِ وَقَدْ زَنَتْ ؟ فَقَالَ : «لَقَـنَدْ تَابَتْ تَوْبَةً لَوْ قُسِّمَتْ بَيْنَ سَبْعِينَ مِنْ أَهْلِ الْمَدِينَةِ لَوَسِعَتْهُمْ ، وَهَلْ وَجَدْتَ أَفْضَلَ مِنْ أَنْ جَادَتْ بِنَفْسِهَا لِلَّهِ تَعَالَى ؟». رَوَاهُ مُسْلِمٌ .

1251. Imrân bin Husain (RAA) narrated, 'A woman from Juhainah came to the Prophet & while she was pregnant due to committing adultery, and said, 'O Messenger of Allâh! I have done something for which a prescribed punishment is to be inflicted, so please inflict it on me. The Messenger of Allâh 🎉 called her guardian and said, "Be good to her, and when she delivers bring her back to me." Her guardian brought her back when she had delivered and the Messenger of Allâh 🎉 gave his commands and her clothes were tied around her and then the Prophet agave his commands and she was stoned to death. The Messenger of Allâh 🌉 offered funeral prayer for her, and thereupon Umar said, O Messenger of Allâh! You offer funeral prayer for her even though she committed adultery?" The Messenger of Allâh 🎉 replied, "She has offered such a repentance (for her sin) that if it was divided between seventy of the inhabitants of Madînah, it would be sufficient for them. Have you found such repentance better than sacrificing her life for the sake of Allâh, the Almighty?"355 Related by Muslim.

١٢٥٢ ـــ وَعَـــنْ جَابِرِ بْنِ عَبْداللَّهِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : «رَجَمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُّلاً مِنْ أَسْلَمَ ، وَرَجُلاً مِنَ الْيَهُودِ ، وَامْرَأَةً». رَوَاهُ مُسْلِمٌ . 1252. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of

Allâh 🎉 stoned a man from Aslam<sup>356</sup> to death, a Jewish man and

<sup>355-</sup> No punishment is to be inflicted on the pregnant woman until she gives birth even if she was unmarried. In another narration concerning the same woman it was explained that she was not stoned until she weaned her child.

<sup>356-</sup> He is Mâ'z whose story was related earlier.

a woman.'357 Related by Muslim.

1253. The story of stoning the two Jews<sup>358</sup> is mentioned in Al-Bukhârî and Muslim on the authority of Ibn 'Umar.

1708 — وَعَنْ سَعِيد بْنْ سَعْد بْنِ عُبَادَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ فِي أَبْيَاتِنَا رُوَيْجِ لِ ضَعِيفٌ ، فَخَبَثَ بِأَمَةً مِنْ إِمَائِهِمْ ، فَذَكَرَ ذَلِكَ سَعْدُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «اضْرِبُوهُ حَدَّهُ». فَقَالُوا : يَا رَسُولَ اللَّهِ ، إِنَّهُ أَضْعَفُ مِنْ ذَلِكَ . عَلَيْهِ وَسَلَّمَ فَقَالَ : «خُذُوا عِثْكَالاً فِيهِ مَنَةُ شِمْرَاخٍ ثُمَّ اضْرِبُوهُ بِهِ ضَرَّبَةً وَاحِدَةً» فَفَعَلُوا . رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَابْنُ مَاجَةً ، وَإِسْنَادُهُ حَسَنٌ ، لَكِنِ الخَتْلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ .

1254. Sa´îd bin Sa´d bin 'Ubâdah (RAA) narrated, 'A small weak man was staying in our tribe, and he committed adultery with one of their slave-women. Sa´d mentioned this to the Messenger of Allâh ﷺ, and thereupon he said, "Flog him (according to) the prescribed penalty." The people then said, 'O Messenger of Allâh! He is too weak to bear it.' The Messenger of Allâh ﷺ then said, "Get a stalk of the raceme of a palm tree with a hundred twigs and strike him just once.359" So, they did. Related

<sup>357-</sup> The woman from Juhainah whose story was told in the previous hadith.

<sup>358-</sup> Two Jewish people (a man and a woman) were brought to the Prophet 裳 as they committed adultery and they were both married. The Messenger of Allâh 裳 asked them about the legal penalty for such a crime in their Book (the Torah). They told him that their Rabbis have innovated a punishment of blackening the faces with charcoal. 'Abdullâh bin Salâm said, 'O Messenger of Allâh! Tell them to bring the Torah.' When they brought the Torah, one of them found the verse of stoning to death with his hand and starting reading the preceding verse and what followed. Ibn Salâm then said to the Jews, 'Lift up your hand.' The verse was there under his hand and thereupon the Messenger of Allâh 裳 ordered that the two sinners be stoned to death.

<sup>359-</sup> People were afraid that he may die if he receives the full 100 lashes, so the Prophet out of mercy for him, ordered them to get this stalk, but still with 100 twigs (to fulfill the number of lashes), to flog him with.

by Ahmad, An-Nasa'î and Ibn Majah with a good chain of narrators.

١٢٥٥ ــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «مَـــنْ وَجَدْتُمُوهُ يَعْمَلُ عَمَلَ قَوْمٍ لُوطٍ فَاقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ ، وَمَنْ وَجَدْتُمُـــوهُ وَقَتْلُوا الْبَهِيمَةَ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ وَرَحَالُهُ مُوَنَّقُونَ ، إِلاَّ أَنَّ فِيهِ احْتِلاَقًا .

1255. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Whoever you find doing as the people of Lot did (i.e. homosexuality), kill the one who does it and the one to whom it is done, and if you find anyone having sexual intercourse with an animal, kill him and kill the animal.'360 Related by Ahmad and the four Imâms with a trustworthy chain of narrators.

١٢٥٦ ـــ وَعَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ ضَـــرَبَ وَغَـــرَّبَ ، وَأَنَّ أَبَـــا بَكْـــرِ ضَرَبَ وَغَرَّبَ ، وَأَنَّ عُمَرَ ضَرَبَ وَغَرَّبَ». رَوَاهُ التِّرْمِذِيُّ ، وَرِجَالُهُ ثِقَاتٌ ، إلاَّ أَنَّهُ احْتَتلفَ في وَقْفه وَرَفْعه .

1256. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh applied the punishment of flogging and also that of exile, Abû Bakr (RAA) applied the punishments of flogging and exile and also 'Umar applied them.' Related by At-Tirmidhî with a trustworthy chain of narrators, but scholars differed over its being traced back to the Prophet 's or only to the companion.

١٢٥٧ ـــ وَعَـــنِ ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ الْمُحَنَّثِينَ مِنَ الرِّجَالِ ، وَالْمُتَرَجِّلاَتِ مِنَ النِّسَاءِ ، وَقَالَ : «أَخْرِجُوهُمْ منْ بُيُوتكُمْ». رَوَاهُ الْبُحَارِيُّ .

1257. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh 🎉

<sup>360-</sup> As for killing the animal, some scholars say that the Fitrah (nature) of this animal has been spoiled, as it is not created for this. Others say that it is disliked to eat it or use it after such a disgraceful action.

cursed men who are hermaphrodites and women who take the similitude of men, and said, "Get them out of your homes." Related by Al-Bukhârî.

1258. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Avert the infliction of the prescribed punishments as long as you find a way out (i.e. to avoid their infliction)." Related by Ibn Mâjah with a weak chain of narrators.

1259. At-Tirmidhî and Al-<u>H</u>âkim transmitted on the authority of 'Â'ishah (RAA) with the wording, 'Allâh's Messenger said, "Avert the infliction of the prescribed punishment on Muslims as much as you can." It is also a weak hadîth.

1260. Al-Baihaqî transmitted on the authority of 'Alî (RAA) that he said, 'Avert the prescribed punishments by rejecting doubtful evidence.'

١٢٦١ ــ وَعَــنِ ابْــنِ عُمَــرَ قَــالَ : قَــالَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : «اجْتَنبُوا هَذِهِ الْقَاذُورَاتِ الَّتِي نَهَى اللّهُ - تَعَالَى - عَنْهَا ، فَمَنْ أَلَمَّ بِهَا فَلْيَسْتَتِرْ بِسِتْرِ اللّهِ - تَعَالَى - ، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ اللّهِ - تَعَالَى - ، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ كَتَابَ اللّهِ - تَعَالَى - ، وَلَيْتُ بِنَ أَسْلَمَ . كَتَابَ اللّهِ - تَعَالَى - ، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ كَتَابَ اللّهِ - تَعَالَى - ». رَوَاهُ الْحَاكِمُ ، وَهُوَ فِي الْمُوطَّإِ مِنْ مَرَّاسِلِ زَيْدِ بْنِ أَسْلَمَ .

1261. Ibn Umar (RAA) narrated that the Messenger of Allâh said, "Avoid these filthy practices which Allâh, the Almighty has prohibited. He who commits any of these, should conceal with Allâh's Most High Veil (i.e. should not speak

about it), and should turn to Allâh, the Most High in repentance, for if anyone uncovers his hidden sins (to us), we shall inflict on him the punishment prescribed by Allâh, the Almighty." Related by Al-<u>H</u>âkim and in Al-Muwatta' but traced to its narrator Zaid bin Aslam as <u>Hadîth Mursal</u>.

### بَسابُ حَسدٌ الْقَسذُف

# Chapter II: Penalty for Qadhf (Accusing a Person of Adultery without Proof)

١٢٦٢ ـــ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : «لَمَّا نَزَلَ عُنْرِي قَامَ رَسُولُ اللَّهِ صَــــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى الْمِنْبَرِ ، فَذَكَرَ ذَلِكَ وَتَلاَ الْقُرْآنَ ، فَلَمَّا نَزَلَ أَمَرَ بِرَجُلَيْنِ وَامْرَأَةٍ فَضُرِبُوا الْحَدَّ». أخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَأَشَارَ إِلَيْهِ البُخَارِيُّ .

1262. 'Â'ishah (RAA) narrated, 'When my vindication was revealed,<sup>361</sup> the Prophet mounted the pulpit and mentioned what happened and recited the verses of the Qur'ân (which had been revealed). When he came down from the pulpit he ordered that two men and a woman<sup>362</sup> should be given the prescribed flogging (for this false accusation of 'Â'ishah (RAA) which is eighty lashes).' Related by Ahmad and the four Imâms. Al-Bukhârî referred to it.

١٢٦٣ ـــ وَعَـــنْ أَنَــسِ بْنِ مَالِكَ قَالَ : أَوَّلُ لِعَانِ كَانَ فِي الإِسْلاَمِ أَنَّ شَرِيكَ بْنَ سَحْمَاءَ قَذَفَهُ هِلاَلُ بْنُ أُمَيَّةَ بِامْرَأَتِهِ ، فَقَالَ لَهُ النَّبِيُّ صَلِّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « الْبَيْنَةَ ، وَإِلاَّ فَحَدٌّ فِي ظَهْرِكَ». الْحَدِيثَ أَخْرَجَهُ أَبُو يَعْلَى ، وَرِجَالُهُ ثِقَاتٌ .

1263. Anas bin Mâlik (RAA) narrated, 'The first Li'ân that took place in Islâm was when Hilâl bin Umaiyah accused his wife of having committed adultery with Shuraik bin Sahmâ.' Thereupon the Messenger of Allâh said to him, "Either you produce evidence (for your claim) or you will receive punishment

<sup>361-</sup> Sûrat an-Nûr (24:11).

<sup>362-</sup> The two men are Mistah bin Athâthah and Hassân bin Thâbit and the woman is Hamnah bint Jahsh.

on your back (i.e. flogged for your accusation if it is false."(refer to hadîth no.1138). Related by Abû Ya lâ with a trustworthy chain of narrators.

1264. Al-Bukhârî related a similar <u>h</u>adîth on the authority of Ibn 'Abbâs (RAA).

١٢٦٥ \_ وَعَـــنْ عَـــبُدالِلَهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ قَالَ : «لَقَدْ أَذْرَكْتُ أَبَا بَكْرِ وَعُمَرَ وَعُـــثْمَانَ - رَضِـــيَ اللَّـــهُ عَنْهُمْ - وَمَنْ بَعْدَهُمْ ، فَلَمْ أَرَهُمْ يَضْرِبُونَ الْمَمْلُوكَ فِي الْقَذْف إلاَّ أَرْبَعِينَ». رَوَاهُ مَالِكٌ وَالنَّوْرِيُّ فِي حَامِعِهِ .

1265. 'Abdullâh bin 'Âmir bin Rabî'ah narrated, 'I witnessed the time of Abû Bakr, 'Umar and 'Uthmân (RAA), and those who came after them. I never saw them flogging a slave for *Qadhf*(false accusation of adultery) except forty lashes.'363 Related by Mâlik, and Ath-Thawrî in his book *al-Jâmi'*.

1266. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "He who accuses his slave of committing adultery (without proof) will be punished with the prescribed penalty on the Day of Resurrection unless it is (true) as he said." Agreed upon.

## بَــابُ حَــدٌ السَّــرِقَــةِ Chapter III: Penalty for Theft

١٢٦٧ ــ عَنْ عَائِشَةَ قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُقْطَعُ يَدُ سَارِقٍ إِلاَّ فِي رُبُعِ دِينَارٍ فَصَاعَدًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

<sup>363-</sup> This is evidence that the punishment of a male or a female slave for this crime is half of that prescribed for a free person, which would be 80 lashes.

وَلَفْظُ البُخَارِيِّ : «تُقْطَعُ يَدُ السَّارِقِ فِي رُبْعِ دِينَارٍ فَصَاعِدًا». وَفِي رِوَايَةٍ لأَحْمَدَ : «اقْطَعُوا فِي رُبْعِ دِينَارٍ، وَلاَ تَقْطَعُوا فِيمَا هُوَ أَدْنَى مِنْ ذَلِكَ» .

1267. 'Â'ishah (RAA) narrated that Allâh's Messenger said, "A thief's hand should not be cut off except for a quarter of a Dînâr<sup>364</sup> or more." Agreed upon and the wording is from Muslim.

The version of Al-Bukhârî reads, "The hand of a thief is to be cut off for a quarter of a Dînâr or more."

In a version by Ahmad, "Cut off a thief's hand for a quarter of a Dînâr, and do not cut it off for what is less than that."

1268. Ibn 'Umar (RAA) narrated that the Messenger of Allâh cut off the hand of a thief for stealing a shield that was worth three Dirhams. Agreed upon.

١٢٦٩ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ : «لَعَنَ اللَّهُ السَّارِقَ ، يَسْرِقُ الْبَيْضَةَ ، فَتُقْطَعُ يَدُهُ ، وَيَسْرِقُ الْحَبْلُ فَتَقْطَعُ يَدُهُ». مُتَّفَقٌ عَلَيْه أَيْضًا .

1269. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "May Allâh curse the thief who steals an egg for which his hand is cut off, or steals a rope for which his hand is to be cut off.' Agreed upon. 365

<sup>364-</sup> A theif's right hand is to be cut off if he is caught stealing a quarter of a Dînâr (almost 1.5 gm of gold) or goods worth that much at the time of the theft.

<sup>365-</sup> The consensus of the scholars is that stealing an egg or a rope does not call for someone's hand to be cut off. The exaggeration in the hadîth is meant to be a factor that urges anyone who thinks of stealing, to think twice, and see how mean this act is, as he would loose his precious right hand for something as worthless as an egg.

١٢٧٠ \_ وَعُــنُ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـالَ : «أَتَشْفَعُ فِي حَدِّ مِنْ حُدُودِ اللَّهِ ؟» ثُمَّ قَامَ فَخَطَبَ ، فَقَالَ : «أَتُهَا الناسُ ، إِنَّمَـا هَلَكَ الَّذِينَ مِنْ قَبْلِكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكُوهُ ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدِّ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفُظُ لِمُسْلَمٍ . وَحَدُهُ أَقُومُ النَّهُ عَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتُ : كَانَتِ امْرَأَةٌ تَسْتَعِيرُ الْمَتَاعَ وَتَجْحَدُهُ ، فَأَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَطْعِ يَدَهَا .

1270. 'Â'ishah (RAA) narrated, 'Allâh's Messenger said (to Usâmah bin Zaid), "Are you interceding with regards to one of Allâh's prescribed penalties? Then he got up and addressed the people saying, "O people! What destroyed the nations before you, was that when a noble person committed theft, they used to leave him (without punishment), but if a weak person among them committed theft, they would inflict the legal punishment on him." Agreed upon and the wording is from Muslim.

Muslim has another version on the authority of 'Â'ishah (RAA) who said, 'A woman used to borrow (people's) belongings and deny having taken them, so the Prophet sordered that her hand be cut off.'

١٢٧١ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَـــيْسَ عَلَـــى خَائِنٍ ، وَلاَ مُخْتِلِسٍ ، وَلاَ مُنْتَهِبٍ قَطْعٌ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمَذِيُّ، وَابْنُ حَبَّانَ .

<sup>366-</sup> A lady known as Fâtimah bint Aswad al-Makhzûmiyah who came from a prominent family committed an act of theft. When the Messenger of Allâh & commanded that her hand was to be cut off, people started to intercede to exempt her from punishment, and among them was Usâmah bin Zaid, the son of his former servant Zaid bin Thâbit. The Messenger of Allâh & became very angry and said the statement mentioned in the hadîth. The owner of the stolen goods however can intercede for the thief, for his hand not to be cut off as long as the case has not yet been taken to the judge. Once it has been brought to court, no one can seek pardon for the thief.

1271. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "There is no cutting of the hand for the treacherous, for snatching (like the one who snatches and runs away), or for forcible seizure (looting or robbery)." Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as <u>Sahîh</u>.

١٢٧٢ ـــ وَعَنْ رَافِعِ بْنِ خَديجٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ قَطْعَ فِي ثَمَرٍ وَلاَ كَثَرٍ». رَوَاهُ الْمَذْكُورُونَ ، وَصَحَحَّحَهُ أَيْضًا التّرْمُذَيُّ ، وَابْنُ حَبَّانَ .

1272. Râfi´ bin Khudaij (RAA) narrated, 'I heard the Messenger of Allâh say, "There is no cutting off of a hand for taking fruit or the pith of a palm tree." Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as <u>Sahîh</u>.

١٢٧٣ ــ وَعَسَنْ أَبِسِي أُمَّيَةَ الْمَخْزُومِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : أَتِيَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنَهُ وَسَلَّمَ بلصِّ قَد اعْتَرَفَ اعْتِرَافًا ، وَلَمْ يُوجَدْ مَعَهُ مَتَاعٌ ، فَقَالَ لَهُ رَسُّولُ اللَّهِ عَلَيْهِ وَسَلَّمَ : «مَا إِخَالُكَ سَرَفْتَ» قَالَ : بَلَى . فَأَعَادَ عَلَيْهِ رَسُّولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا إِخَالُكَ سَرَفْتَ» قَالَ : بَلَى . فَأَعَادَ عَلَيْهِ مَرَّنَسِيْنِ أَوْ ثَلاَثًا ، فَأَمَر به ، فَقُطعَ ، وَجِيءَ به ، فَقَالَ : «اسْتَغْفِرِ اللَّهُ وَتُبْ إِلَيْهِ». فَقَالَ : «اللَّهُمَّ تُبُ عَلَيْهِ - ثَلاَثًا -» . فَقَالَ : «اللَّهُمَّ تُبُ عَلَيْهِ - ثَلاَثًا -» . فَقَالَ : وراحَالُهُ ثَقَاتٌ .

1273. Abû Umaiyah al-Makhzûmî (RAA) narrated, 'A thief who has made a confession was brought to the Messenger of Allâh , but no goods were found with him. Allâh's Messenger said to him, "I do not think you have stolen!" The man replied, 'Yes I have.' The Prophet repeated it to him twice or thrice, so he gave his commands concerning him, and his hand was cut off. He was then brought to the Messenger of Allâh who said to him, "Ask for the forgiveness of Allâh and turn to Him in repentance." The man then said, 'I ask Allâh's forgiveness and turn to Him in repentance.' The Messenger of Allâh then said three times, "O Allâh! forgive him." Related by Abû Dawûd, Ahmad and An-Nasâ'î with a trustworthy chain of narrators, and it is Abû Dawûd's version.

١٢٧٤ \_ وَ أَخْـرَجَهُ الْحَاكِمُ مِنْ حَدِيثِ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - ، فَسَاقَهُ بِمَعْــنَاهُ ، وَقَالَ فِيهِ : «اذْهَبُوا بِهِ فَاقْطَعُوهُ ، ثُمَّ احْسِمُوهُ». وَأَخْرَجَهُ الْبَزَّارُ أَيْضاً ، وَقَالَ لاَ بَأْسَ بِإِسْنَادِهِ .

1274. Al-<u>H</u>âkim transmitted the same <u>h</u>adîth on the authority of Abû Hurairah (RAA) giving similar meaning. The Messenger of Allâh said, "Take him away and cut off his hand and cauterize him." Al-Bazzâr transmitted the same <u>h</u>adîth but commented that its chain of narrators is not sound.

١٢٧٥ ـــ وَعَـــنْ عَــبْدالرَّحْمَنِ بْنِ عَوْف - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ يَعْرَمُ السَّارِقُ إِذَا أُقِيمَ عَلَيْهِ الْحَدُّ». رَوَاهُ النَّسَائِيُّ ، وَبَيَّنَ أَنَّهُ مُنْقَطِعٌ ، وَقَالَ أَبُو حَاتِمٍ : هُوَ مُنْكَرٌ .

1275. 'Abdur Rahmân bin 'Auf (RAA) narrated that the Messenger of Allâh said, "A thief is not to be fined if the prescribed punishment has been inflicted on him." Related by An-Nasâ'î who said that its chain of narrators is disconnected.

٦٢٧٦ \_ وَعَنْ عَبْدَاللّه بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللّهُ عَنْهُمَا - عَنْ رَسُولِ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ : أَنَّهُ سُئِلَ عَنِ التَّمْرِ الْمُعَلَّقِ ، فَقَالَ : «مَنْ أَصَابَ بِفِيهِ مِنْ ذِي صَاحَــة غَــيْرَ مُستَّخِذ بحُبْــنَةً فَلاَ شَيْءَ عَلَيْهِ ، وَمَنْ خَرَجَ بِشَيْء مِنْهُ فَعَلَيْهِ الْغَرَامَةَ وَالْعُتُوبَ لَهُ مَنْ خَرَجَ بِشَيْء مِنْهُ فَعَلَيْهِ الْغَرَامَة وَالْعُتُوبَ لَهُ مَنْ الْحَرِينُ فَبَلَغُ ثَمَنَ الْحَرِينُ فَبَلَغُ ثَمَنَ الْحَرِينُ فَعَلَيْهِ الْعَلْمُ ، أَحْرَجَهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1276. 'Abdullâh bin 'Amro bin al-'Âs (RAA) narrated, 'The Messenger of Allâh is was asked about dates which are still hanging on the palm tree, he then said, "If a needy person eats some dates, but without taking a supply away in his garment, he is not to be blamed, but if anyone takes away any of it, he is to be fined and punished. And if anyone takes away any of it (the dates) after it has been put in the place where it is going to be dried, and it amounts to the price of a shield,

he must have his hand cut off." Related by Abû Dawûd and An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

١٢٧٧ ــ وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ - لَمَّـــا أَمَرَ بِقَطْعِ الَّذِي سَرَقَ رِدَاءَهُ فَشَفَعَ فِيهِ - : «هَلاَ كَانَ ذَلِكَ قَبْلَ أَنْ تَأْتَيْنِي بِهِ ؟». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ الْحَارُودِ ، وَالْحَاكِمُ .

1277. Safwân bin Umaiyah (RAA) narrated, 'When the Messenger of Allâh scommanded that the thief who had stolen his cloak (i.e. Safwân's) should have his hand cut off, Safwân wanted to intercede, for the thief's hand not to be removed. Thereupon the Messenger of Allâh said to him, "Why didn't you do so before bringing him to me?" Related by Ahmad, the four Imâms, and Al-Hâkim graded it as Sahîh.

١٢٧٨ ــ وَعَــنُ جَابِر - رَضِيَ اللَّهُ عَنْهُ - قَالَ : جِيءَ بِسَارِق إِلَى النَّبِيِّ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ فَقَالَ : «اقْتُلُوهُ». فَقَالَ : «اقْتُلُوهُ». فَقَالَ : «اقْتُلُوهُ». فَذَكْرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ النَّالِيَة ، فَقَالَ : «اقْتُلُوهُ». فَذَكْرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ النَّالِيَة ، فَقَالَ : «اقْتُلُوهُ». فَذَكْرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ النَّالِيَة ، فَقَالَ : «اقْتُلُوهُ». فَذَكَرَ مِثْلَهُ ، ثُمَّ جِيءَ بِهِ الْخَامِسَة ، فَقَالَ : «اقْتُلُوهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَاسْتَنْكَرَهُ .

1278. Jâbir (RAA) narrated, 'A thief was brought to the Prophet and he said to them, "Kill him." The people said, 'He has just stolen O Messenger of Allâh!' He then said, "Cut off his hand." He was brought to him the second time and the Messenger of Allâh also said, "Kill him." They said the same and the Messenger of Allâh said to them, 'Cut off his hand." The same man was brought a third and a fourth time and same was said. 367 When they brought him for the fifth time, the Messenger of Allâh said, "Kill him." Related by Abû Dawûd and An-Nasâ'î who regarded it as Munkar (a type of a weak hadîth).

<sup>367-</sup> The first time a thief steals, his right hand is cut off. The second time his left foot is to be cut off, the third time his left hand and the fourth time his right foot.

١٢٧٩ \_ وَأَخْرَجَ مِنْ حَدِيثِ الْحَارِثِ بْنِ حَاطِبٍ نَحْوَهُ ، وَذَكَرَ الشَّافِعِيُّ أَنَّ الْقَتْلَ فِي الْخَامِسَةِ مَنْسُوخٌ .

1279. An-Nasâ'î also reported a similar <u>h</u>adîth on the authority of Al-<u>H</u>ârith bin <u>H</u>â<u>t</u>ib. Ash-Shâfi'î mentioned that the killing in the fifth time (of stealing) is abrogated.

## بَابُ حَدِّ الشَّارِبِ، وَبَيَانِ الْمُسْكِرِ

#### Chapter IV: Penalty for Drinking and the Nature of Intoxicants

١٢٨٠ ــ عَــنْ أَنــسِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَتِيَ بِرَجُلِ قَدْ شَرِبَ الْحَمْرَ ، فَجَلَدَهُ بِحَرِيدَتَيْنِ نَحْوَ أَرْبَعِينَ ، قَالَ : وَفَعَلَهُ أَبُو بَكْرٍ ، فَلَمَّا كَانَ عُمَرُ اسْتَشَارَ النَّاسَ ، فَقَالَ عَبْدُالرَّحْمَنِ بْنِ عَوْفٍ : أَخَفُ الْحُدُودِ ثَمَانُونَ ، فَأَمَرَ بِهِ عُمَرُ». مُتَّفَقٌ عَلَيْهِ .

1280. Anas bin Mâlik (RAA) narrated, 'A man who had drunk wine was brought to the Prophet and he commanded that the man should be beaten (lashed). The man was given about forty lashes with two palm branches. Anas added, Abû Bakr (RAA) did the same, but when 'Umar (RAA) became the Caliph, he consulted the people and 'Abdur Rahmân bin 'Auf said, 'The mildest punishment for drinking is eighty (lashes).' So, 'Umar (RAA) gave his commands accordingly. Agreed upon.

١٢٨١ - وَلِمُسْلِم عَــنْ عَلِـيِّ - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةِ الْوَلِيدِ بْنِ عُقْبَةَ : «حَلَــدَ النَّــيِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَرْبَعِينَ ، وَحَلَدَ أَبُو بَكْرٍ أَرْبِعِينَ ، وَحَلَدَ عُمَرُ ثَمَــانِينَ ، وَكُلِّ سُنَةٌ ، وَهَذَا أَحَبُّ إِلَيُّ». وَفِي الْحَديثِ : «أَنَّ رَجُلاً شَهِدَ عَلَيْهِ أَنَّهُ رَآهُ يَتَقَيَّا هَا حَتَّى شَرِبَهَا».

1281. Muslim transmitted on the authority of 'Alî (RAA) concerning the story of al-Walîd bin 'Uqbah368 that the Messenger of

<sup>368-</sup> He was the brother of 'Uthmân bin 'Affân and he became a Muslim on the day of the Conquest of Makkah. He was appointed by 'Uthmân to

Allâh inflicted forty lashes, Abû Bakr (RAA) forty lashes and Umar (RAA) eighty. All of them are in accordance with the Sunnah of the Prophet but this one (the eighty lashes) is preferable to me'369 In this hadîth also a man witnessed that he had seen him vomiting wine, Uthmân (RAA) said, 'He would not have vomited it, unless that he had drunk it.'

١٢٨٢ ــ وَعَنْ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ فَــي شَـــارِب الْحَمْرِ : ﴿إِذَا شَرِبَ فَاحْلِدُوهُ ، ثُمَّ إِذَا شَرِبَ فَاحْلِدُوهُ ، ثُمَّ إِذَا شَرِبَ الْخَمْرِ : ﴿ إِذَا شَرِبَ الْحَمْدُ ، وَهَذَا لَفُطُهُ ، النَّالَئَةَ فَاحْلِدُوهُ ، ثُمَّ إِذَا شَرِبَ الرَّابِعَةَ فَاضْرِبُوا عُنْقَهُ » أَخْرَجَهُ أَحْمَدُ ، وَهَذَا لَفُظُهُ ، وَالأَرْبَعَــةُ ، وَذَكَــرَ الـــتَّرْمِذِيُّ مَا يَدُلُّ عَلَى أَنَّهُ مَنْسُوخٌ ، وَأَخْرَجَ ذَلِكَ أَبُو دَاوُدَ صَرِيحًا عَنِ الزَّهْرِيِّ .

1282. Mu'âwiyah (RAA) narrated that the Messenger of Allâh said regarding the one who drinks alcohol, 'If he drinks (for the first time) flog him, then if he drinks for the second time flog him, then if he drinks for the third time flog him then if he drinks for the fourth time you should kill him." Related by Ahmad and the wording is his. It is also transmitted by the four Imâms; At-Tirmidhî mentioned what indicates that it is abrogated, but Abû Dawûd reported it clearly on the authority of Az-Zuharî.

١٢٨٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا ضَرَبَ أَحَدُكُمْ فَلْيَتَّقِ الْوَجْهَ». مُتَّفَقٌ عَلَيْهِ .

1283. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When one of you is flogging (while inflicting a prescribed punishment)he should avoid the face." Agreed upon.

govern al-Kûfah and was later ordered to retire by him for drinking alcohol.

<sup>369-</sup> It is preferable for him due to the daring attitude of the drunkards and not that what 'Umar (RAA) did was dearer to him than what the Messenger of Allâh & did.

١٢٨٤ \_ وَعَـــنْ ابْنِ عُبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تُقَامُ الْحُدُودُ فِي الْمَسَاجِدِ». رَوَاهُ التِّرْمِذِيُّ ، وَالْحَاكِمُ .

1284. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Prescribed punishments are not to be inflicted in mosques." Related by At-Tirmidhî and Al-Hâkim.

١٢٨٥ \_ وَعَـــنْ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَقَدْ أَنْزَلَ اللَّهُ تَحْرِيمَ الْحَمْرِ وَمَا إِللَّا مِنْ تَمْرٍ». أَخْرَجَهُ مُسْلِمٌ .

1285. Anas (RAA) narrated, 'Allâh sent down the verses stating the prohibition of alcohol when there was no other beverage to drink in Madînah except that prepared from dates (wine of dates).' Related by Muslim.

١٢٨٦ ـــ وَعَـــنْ عُمَرَ قَالَ : «نَزَلَ تَحْرِيمُ الْحَمْرِ ، وَهِيَ مِنْ حَمْسَة : مِنَ الْعِنَبِ ، وَالنَّمْرِ ، وَالْعَسَلِ ، وَالْحِنْطَةِ ، وَالشَّعِيرِ ، وَالْحَمْرُ مَا حَامَرَ الْعَقْلَ». مُتَّفَقٌ عَلَيْهِ .

1286. 'Umar (RAA) narrated, 'When the prohibition of *Khamr* (alcoholic drinks) was revealed, it used to be made from: grapes, dates, honey, wheat and barley. *Khamr* is what shields one's mind" Agreed upon.

١٢٨٧ ـــ وَعَـــنْ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كُلُّ مُسْكِرٍ خَمْرٌ ، وَكُلُّ مُسْكِرٍ حَرَامٌ». أَخْرَجَهُ مُسْلِمٌ .

1287. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Every intoxicant is Khamr, and every intoxicant is prohibited." Related by Muslim.

١٢٨٨ ـــ وَعَـــنْ جَابِرِ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَا أَسْكَرَ كَثِيرُهُ فَقَليلُهُ حَرَامٌ». أَخْرَجَهُ أَحْمَٰدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1288. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "If a large quantity of any beverage intoxicates, then a small amount of it is prohibited." Related by Ahmad and the four Imâms. Ibn Hibbân graded it as <u>Sahîh</u>.

١٢٨٩ ـــ وَعَـــنْ ابْنِ عَبَّاسٍ قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُنْبَذُ لَهُ الزَّبِيبُ فِي السِّقَاءِ ، فَيَشْرَبُهُ يَوْمَهُ ، وَالْغَدَ ، وَبَعْدَ الْغَدِ ، فَإِذَا كَانَ مَسَاءُ التَّالِثَةِ شَرِبَهُ وَسَقَاهُ ، فَإِنْ فَضَلَ شَيْءٌ أَهْرَاقَهُ». أَخْرَجَهُ مُسْلِمٌ .

1289. Ibn 'Abbâs (RAA) narrated, 'Raisins used to be soaked for the Messenger of Allâh in a water skin, and he would drink it that day, the next day and the following day. When it was the evening of the third day, he would drink it and give some to others. If anything was left from it, he would spill it.' Related by Muslim.

١٢٩٠ ـــ وَعَـــنْ أُمِّ سَلَمَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهِ لَمْ يَجْعَلْ شِفَاءَكُمْ فِيمَا حَرَّمَ عَلَيْكُمْ». أَخْرَجَهُ الْبَيْهَقيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1290. Umm Salamah (RAA) narrated that the Messenger of Allâh said, "Allâh did not make your cure in what He made <u>Harâm</u> (unlawful) to you." Related by Al-Baihaqî and graded as <u>Sahîh</u> by Ibn <u>H</u>ibbân.

١٢٩١ ـــ وَعَـــنْ وَائِلِ الْخَضْرَمِيِّ أَنَّ طَارِقَ بْنَ سَوَيْد - رَضِيَ اللَّهُ عَنْهُ - ، سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْخَمْرِ يَصْنَعُهَا لِلدَّوَاءِ ، فَقَالَ : « إِنَّهَا لَيْسَتْ بِدَوَاءٍ ، وَلَكِنَّهَا دَاءٌ». أَخْرَجَهُ مُسْلمٌ ، وَأَبُو دَاوُدَ ، وَغَيْرُهُمَا .

1291. Wâ'il Al-<u>Hadramî</u> narrated that <u>Târiq</u> bin Suwaid asked the Messenger of Allâh sabout *Khamr* which he made only to be used as a medicine. The Prophet replied, "It is not a medicine, it is a disease." Related by Muslim and Abû Dawûd.

## بَسابُ التَّعْزِيسِ وَحَكُسمُ الصَّائِسلِ

Chapter V: Ta'zîr Discretionary punishment And Ordinances Regarding An Assailant

١٢٩٢ ــ عَـــنْ أَبِي بُرْدَةَ الأَنْصَارِيِّ أَنَّهُ سَمِعَ النَّبِيَّ يَقُولُ: «لاَ يُحْلَدُ فَوْقَ عَشَرَةِ أَسْوَاطِ إِلاَّ فِي حَدِّ مِنْ حُدُودِ اللَّهِ – تَعَالَى –». مُتَّفَقٌ عَلَيْهِ . 1292. Abû Burdah Al-Ansârî (RAA) narrated that he heard the Messenger of Allâh say, "No more than ten lashes are to be given except when inflicting one of the <u>Hudûd</u> (prescribed punishments) of Allâh." Agreed upon.

١٢٩٣ ـــ وَعَـــنْ عَائِشَــةَ - رَضِـــيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «أَقِـــيلُوا ذَوِيَ الْهَيْـــعَاتِ عَثَرَاتِهِمْ ، إِلاَّ الْحُدُودَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ وَالنَّسَائِيُّ ، وَالْبَيْهَقِيُّ .

1293. 'Â'ishah (RAA) narrated that Allâh's Messenger said, "Forgive the people with high moral values when they slip but not what calls for the infliction of <u>Hudûd</u>." Related by Ahmad, Abû Dawûd, An-Nasâ'î and Al-Baihaqî.

١٢٩٤ ـــ وَعَـــنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «مَا كُنْتُ لأَقِيمَ عَلَى أَحَد حَدًّا فَيَمُوتَ فَأَجِدَ فِي نَفْسِي، إِلاَّ شَارِبَ الْخَمْرِ، فَإِنَّهُ لَوْ مَاتَ وَدَيْتُهُ». أَخْرَجَهُ البُخَارِيُّ.

1294. 'Alî (RAA) narrated, 'I would not blame myself for the death of a man when I inflicted prescribed punishment on him, with the exception of one who drunk *Khamr*, for if he were to die, I would pay *Diyah* for him.'

١٢٩٥ ـــ وَعَنْ سَعِيد بْنِ زَيْد – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ فُتِلَ دُونَ مَالُهِ فَهُوَ شَهِيدٌ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ

1295. Sa´îd bin Zaid (RAA) narrated that the Messenger of Allâh said, "Whoever is killed while protecting his property, he is a martyr." Related by the four Imâms and At-Tirmidhî graded it as <u>Sahîh</u>.

Imâm Muslim transmitted a hadîth on the authority of Abû Hurairah that a man came to the Prophet 養 asking about a man who is trying to take away his money, the Prophet 裳 said to him, "Do not give it to him." He then asked again, 'What if he fights me?' The Prophet 裳 said to him, "Fight him." The man asked again, 'What if he kills me?' The Prophet 裳 said to him, "You are then (considered) a martyr." The man asked, 'What if I kill him?' The Prophet 裳 said to him, "He is then

١٢٩٦ ـــ وَعَـــنْ عَبْدَاللَّهِ بْنِ حَبَّابٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمعْتُ أَبِي يَقُولُ : سَمعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهٍ وَسَلَّمَ يَقُولُ : «تَكُونُ فِتَنْ ، فَكُنْ فِيهَا عَبْدَاللَّهِ سَـــمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهٍ وَسَلَّمَ يَقُولُ : «تَكُونُ فِتَنْ ، فَكُنْ فِيهَا عَبْدَاللَّهِ الْمُقْتُولَ ، وَلاَ تَكُنْ الْقَاتِلَ». أَخْرَجَهُ ابْنُ أَبِي خَيْثُمَةً ، وَ الدَّارَقُطْنِيُّ .

1296. 'Abdullâh bin Khabbâb (RAA) narrated, 'I heard my father say: 'I heard the Messenger of Allâh say, "There will be times of Fitan, 371 so O slave of Allâh be in it the one who is killed and do not be the killer." Related by Abû Khaithamah and Ad-Dâraqutnî.

1297. Ahmad transmitted a similar hadîth on the authority of Khâlid bin 'Urfutah.

in the Hell Fire." And in that case there is no Qisâs as the man was defending himself.

<sup>371-</sup> Plural of Fitnah which means affliction, hardship trials etc.

## كِسَّابُ الْسجِهَادِ

#### Book XI: Jihâd

#### Chapter I

٨٢٩٨ ـــ عَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ مَاتَ ، وَلَمْ يَغْزُ ، وَلَمْ يُحَدِّثْ نَفْسَهُ بِهِ مَاتَ عَلَى شُغْبَةٍ مِنْ نِفَاقٍ». رَوَاهُ مُسْلِمٌ .

1298. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "He who dies without having gone or thought of going out for Jihâd in the Cause of Allâh, will die while being guilty of having one of the qualities of hypocrisy." Related by Muslim.

١٢٩٩ ـــ وَعَـــنْ أَنـــسِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «حَاهدُوا الْمُشْرِكِينَ بِأَمْوَالِكُمْ وَأَنْفُسِكُمْ وَأَلْسِنَتِكُمْ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَصُحَّحَهُ الْحَاكِمُ .

1299. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, "Fight the disbelievers (polytheists) with your property, yourselves and your tongues." Related by Ahmad, An-Nasâ'î and Al-Hâkim graded it as <u>Sahîh</u>.

١٣٠٠ ــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قُلْتُ : يَا رَسُولَ اللَّهِ ، عَلَى النِّسَــاءِ جِهَـادٌ ؟ قَــَالَ : «نَعَمْ ، جِهَادٌ لاَ قِتَالَ فِيهِ ، هُوَ الْحَجُّ وَالْعُمْرَةُ». رَوَاهُ النِّسَــاءِ جِهَــادٌ ؟ قَــَالَ : «نَعَمْ ، جِهَادٌ لاَ قِتَالَ فِيهِ ، هُوَ الْحَجُ وَالْعُمْرَةُ». رَوَاهُ النِّه مَاجَةُ ، وَأَصْلُهُ في البُخَارِيِّ .

1300. 'Â'ishah (RAA) narrated, 'I said: 'O Messenger of Allâh! Is Jihâd prescribed (also) for women?' Allâh's Messenger said, "Yes, a Jihâd which is without fighting, it is <u>H</u>ajj and 'Umrah." Related by Ibn Mâjah.

١٣٠١ ـــ وَعَـــنْ عَــبْدِاللَّهِ بْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : جَاءَ رَجُلٌ إِلَى النّبيِّ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : جَاءَ رَجُلٌ إِلَى النّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْذِن فِي الْجِهَادِ ، فَقَالَ : «أَحَيٌّ وَالِدَاكَ ؟» قَالَ : نَعَمْ

قَالَ : «فَفِيهُمُا فَحُاهِدٌ». مُتَّفَقٌ عَلَيْهِ .

1301. 'Abdullâh bin 'Umar (RAA) narrated 'A man came to the Messenger of Allâh asking his permission to go out for Jihâd. The Messenger of Allâh asked him, "Are your parents alive?" He replied, 'Yes.' The Messenger of Allâh then said to him, "Then your Jihâd would be with them (i.e. in looking after them and being at their service.)." Agreed upon.

1302. Ahmad and Abû Dawûd transmitted a similar hadîth on the authority of Abû Sa´îd, and they added the extra statement, "Go back and ask for their permission. If they permit you to go, then go for Jihâd otherwise, be good to them (look after them)."<sup>372</sup>

١٣٠٣ ـــ وَعَـــنْ جَرِيرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «أَنـــا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ يُقِيمُ بَيْنَ الْمُشِرِكِينَ». رَوَاهُ الشَّلاَئَةُ ، وَإِسْنَادُهُ صَحِيحٌ ، وَرَجَّحَ البُحَارِيُّ إِرْسَالَهُ .

1303. Jarîr (RAA) narrated that the Messenger of Allâh said, "Any Muslim who stays among the polytheists, does not belong to me." Related by the three Imâms with a sound chain of narrators. Imâm Al-Bukhârî considered it as Mursal (i.e. the companion is absent from the chain of narrators.)

1304. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

<sup>372-</sup> Scholars say that this <u>hadîth</u> is evidence that asking the parent's permission before going for *Jihâd* is necessary. Also that *Jihâd* is not compulsory when both parents or one of them is still alive (especially if they are elderly).

said, "There is no emigration (from Makkah to al-Madînah) after the conquest of Makkah, but only Jihâd (in the Cause of Allâh) and a good intention." 373

١٣٠٥ - وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 «مَنْ قَاتَلَ لِتَكُونَ كُلِمَةُ اللَّهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللَّهِ». مُتَّفَقٌ عَلَيْهِ .

1305. Abû Mûsâ Al-Ash'arî (RAA) narrated that the Messenger of Allâh said, "The one who fights for Allâh's word to become Superior, is striving in Allâh's Cause." Agreed upon.

١٣٠٦ \_ وَعَنْ عَبْدِاللَّهِ بْنِ السَّعْدِيِّ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَنْقَطِعُ الْهِجْرَةُ مَا قُوتِلَ الْعَدُوُّ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1306. 'Abdullâh bin As-Sa'dî narrated that the Messenger of Allâh said, "Emigration (to fight the enemy) will continue as long as an enemy is fought." Related by An-Nasâ'î, and Ibn Hibbân graded it as <u>Sahîh</u>.

١٣٠٧ ـــ وَعَـــنْ نَـــافِعِ قَالَ : «أَغَارَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : عَلَى بَنِي الْمُصْطَلِقِ ، وَهُمْ غَارُّونَ ، فَقَتَلَ مُقَاتِلَتَهُمْ ، وَسَبَى ذَرَارِيَّهُمْ : حَدَّثَنِي بِذَلِكَ عَبْدُاللَّهِ بْنُ عُمَرَ». مُتَّفَقٌ عَلَيْهِ ، وَفِيهِ : وَأَصَابَ يَوْمِئِذِ جُويْرِيَةَ .

1307. Nâfi´ (RAA) narrated, 'The Messenger of Allâh ﷺ made an attack on Banî al-Mus-Taliq when they were unaware.<sup>374</sup> He killed the men who were fighting and took the women and children as captives.' 'Abdullâh bin 'Umar told me about it. Agreed upon.

<sup>373-</sup> The specific Hijrah (migration) from Makkah to Madînah is not compulsory anymore after the conquest of Makkah, but still Jihâd remains and one could emigrate from his home for its sake. Also emigration with a good intention such as escaping from the land of the disbelievers, travelling to gain knowledge, escaping from Fitnah etc..

<sup>374.</sup> As they were preparing to fight the Prophet 奏.

١٣٠٨ \_ وَعَنْ سُلَيْمَانَ بَنِ بُرَيْدَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أُمَّرَ أَمِيرًا عَلَى جَيْشِ أَوَ سَرِيَّة أَوْصَاهُ فِي خَاصَّتِه بِتَقْوَى اللَّه ، وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا، ثُمَّ قَالَ : « اغْزُوا ، وَلاَ تَعْلُوا ، وَلاَ تَعْدُرُوا ، وَلاَ يَعْدُرُوا ، وَلاَ يَعْدُرُوا ، وَلاَ اللّهِ مَا أَيْهُمْ إِلَى الْإِسْلامِ فَإِنَّ مَنْ الْمُسْلِمِينَ ، وَلاَ يَكُونُ لَهُمْ إِلَى الْإِسْلامِ فَإِنَّ مَنْ مَا وَعَلَيْكُمْ إِلَى الْإِسْلامِ فَإِنَّ مَنْ مَا وَلَكُ وَلَا مَنْ مَا مُؤْلُولُ وَلَا مَنْ مَا وَلَهُ مَنْ الْمُسْلِمِينَ ، وَلاَ يَكُونُ لَهُمْ فِي الْغَنِيمَةِ وَالْفَيْعُ فَإِلْ مَنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ ، فَإِنْ أَبُولُ أَبُولُ اللّهِ مَا أَلُهُمْ الْجُرْيَةَ فَإِنْ هُمْ أَبُولُ اللّه مِنْ مَا اللّهُ مُ اللّه مَا أَلَهُمْ الْجُرْيَةُ فَإِنْ هُمْ أَبُولُ اللّه مَنْ أَلُولُهُمْ اللّه مَالَهُمْ الْجُرْيَةُ فَإِنْ هُمْ أَبُولُ اللّه مَا أَلُهُمْ اللّه مَا أَلُولُهُمْ الْمُعْلِمُ وَالْمَعُمْ أَلُولُ اللّه مَا اللّه مَا وَالْمُولُ اللّه مَا اللّه مَا لَكُولُ اللّه مَا لَكُولُ اللّه مَنْ اللّه مَا لَكُ مَلْ اللّه مَا لَكُولُ اللّه مَنْ اللّه مَنْ اللّه مَنْ أَنْ تَخْفُرُوا ذَمَّةُ اللّه مَ وَإِذَا أَرَادُوكَ أَنْ اللّه مَنْ اللّه مَنْ اللّه مَنْ أَلُولُ اللّه مَنْ اللّه مَا اللّه مَنْ الله مَنْ الله مُنْ اللّه مَنْ الله مَنْ الله مَنْ الله مَنْ الله مَنْ الله مُنْ الله مَنْ الله مُنْ الله مَنْ الله مُنْ الله مَنْ الله مُنْ الله مَنْ الله مُنْ الله مَنْ الله مُنْ الله مَنْ الله مَنْ الله مَنْ الله مَنْ الله مَنْ الله مِنْ الله مَنْ الله م

1308. Sulaimân bin Buraidah narrated on the authority of his father on the authority of 'Â'ishah (RAA), 'Whenever Allâh's Messenger appointed a commander over an army or a Sariyah, 375 he would instruct him to fear Allâh in his own behavior and consider the welfare of the Muslims who were with him. He then used to say "Go out for Jihâd in Allâh's name, in the Cause of Allâh, and fight those who disbelieve in Allâh. Go out for Jihâd and do not indulge in Ghulûl<sup>376</sup>, or be treacherous or mutilate (dead bodies) or kill a child. When you meet your

<sup>375-</sup> A small army unit which is sent out by the Prophet 斃 for Jihâd, but without his participation in it.

<sup>376-</sup> Stealing the war booty before it is distributed according to the laws of Shari'ah. According to the consensus of the scholars it is one of the major sins.

enemy, or the polytheists, invite them to three courses of action, and accept whichever of them they are willing to agree to, and withhold from doing anything else: Call them to Islâm, and if they agree accept it from them. Then invite them to migrate from their land to the land of the Emigrants (i.e. al-Madînah),<sup>377</sup> if they refuse, then tell them they will be like the Muslim desert Arabs, 378 thus they will have no right in the Ghanîmah<sup>379</sup> or Fai<sup>380</sup> unless they participate in Jihâd with the Muslims. If they refuse (to accept Islâm) order them to pay the Jizyah<sup>381</sup> and if they agree, accept it from them. If they refuse, seek Allâh, the Most High's help against them and fight them. When you besiege a fortress, and its people wish you to grant them the protection of Allâh and His Prophet ﷺ, grant them neither but grant them your protection, for it is less serious (a lesser guilt) to break your guarantee of protection than to break that of Allâh's. And if they offer to capitulate under the condition that they are subjected to the judgment of Allâh, do not grant them this, but judge according to your own command, for you do not know whether or not you will be able to carry out Allâh, the Most High's Judgment regarding them." Related by Muslim.

<sup>377-</sup> Migration from Makkah to Madînah used to be compulsory before the conquest of Makkah, as it was the land of Islâm up until that time.

<sup>378-</sup> They are subjected to all the other commands of Allâh like other Muslims, i.e. performing prayer, paying Zakâh, paying Diyah etc, except that they do not get a share in war booty.

<sup>379-</sup> Ghanimah refers to the spoils of war that Muslims gain after fighting the disbelievers and defeating them. One fifth of the war booty is taken away and the rest is distributed among the ones who fought. This fifth is spent on the orphans, poor, needy, in the cause of Allâh etc..

<sup>380-</sup> This term refers to the war-booty which is acquired from the disbelievers without fighting them. No fifth is to be taken away and it is spent on the poor, the orphans etc....

<sup>381-</sup> Poll tax money paid by non-Muslim citizens who are staying in a Muslim land, in return for their protection, services provided etc..

١٣٠٩ ـــ وَعَـــنُ كَعْبِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا أَرَادَ غَزْوَةً وَرَّى بِغَيْرِهَا». مُتَّفَقٌ عَلَيْهِ .

1309. Ka'b bin Mâlik (RAA) narrated that whenever the Messenger of Allâh ﷺ intended to go out on a battle, he would pretend to head in a different destination. Agreed upon.

١٣١٠ ــ وَعَـــنْ مَعْقِلِ بْنِ النَّعَمَانِ بْنِ مُقَرِّن - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ رَسُــولَ اللَّهِ مَنَهُ اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا لَمْ يُقَاتِلْ أُوَّلَ النَّهَارِ أُخَّرَ الْقِتَالَ حَتَّى تَزُولَ الشَّمْسُ ، وَتَهُبَ الرَّيَاحُ ، وَيَنْزِلَ النَّصْرُ». رَوَاهُ أَحْمَدُ وَالتَّلاَثَةُ ، وَصَحَحَهُ الْحَاكِمُ ، وَأَصْلُهُ فِي البُخَارِيِّ .

1310. Ma'qil bin An-Nu'mân bin Muqarrin (RAA) narrated, 'I witnessed (battles with) Allâh's Messenger and if he did not start fighting at the beginning of the day, he delayed the fighting till the sun had passed the meridian, and the wind blew<sup>382</sup> and victory descended from Allâh." Related by Ahmad and the three Imâms. Al-Hâkim graded it as Sahîh.

١٣١١ ــ وَعَنْ الصَّعْبِ بْنِ جَنَّامَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سُئِلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : سُئِلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلْبَهُ وَسَــلُمَ عَــنْ أَهْلِ الدَّارِ مِنَ الْمُشْرِكِينَ يُبَيَّنُونَ ، فَيُصِيبُونَ مِنْ نِسَائِهِمْ وَذَرَارِيَّهِمْ ، فَقَالَ : «هُمْ مَنْهُمْ». مُتَّفَقٌ عَلَيْه .

1311. As-Sa'b bin Jath-thâmah (RAA) narrated, 'The Messenger of Allâh as was asked about the polytheists whose land was attacked at night with the probability that some of their women

<sup>382-</sup> If the Messenger of Allâh ¾ did not start the fighting at the break of day, he would defer it to the <u>Dhuhr</u> prayer time to meet the blessing of Allâh which descended on the believers during the prayer time. As for the wind, scholars say that Muslims were granted victory at the battle of the Trench (al-Ahzâbi) by the blowing of the wind, by the will of Allâh. Therefore, it is believed to be one of the factors which brings about victory, and the wind usually blows after the sun had passed the meridian.

and offspring were killed or hurt.' He said ﷺ, "They are from among them." Agreed upon.

1312. Â'ishah (RAA) narrated that the Messenger of Allâh said to a man who followed him on the day of the Battle of Badr, "Go back I will not seek help from a Mushrik (polytheist)." Reported by Muslim.

1313. Ibn 'Umar (RAA) narrated that the Messenger of Allâh saw a woman who was killed in one of his expeditions, so he disapproved the killing of women and children. Agreed upon.

- 383- It is not meant that women and children are killed intentionally, but if they were killed by accident then the Messenger of Allâh \( \mathbb{R} \) means they are not to be blamed.
- 384- This man who followed the Prophet 3 was a brave and strong man, but the Messenger of Allâh wanted him to embrace Islâm first as he could see that the man had a strong desire to become a Muslim. In another version of the hadith it says that when he became a Muslim the Messenger of Allâh 🍇 gave him permission to fight with them. Some scholars say that this hadîth is evidence that asking the assistance of a non-Muslim is not allowed in war, but other narrations prove that the Prophet sought the help of Safwan bin Umaiyah on the Day of Hunain when he was still a polytheist, and he also asked the assistance of some other polytheists at the same battle hoping to bring their hearts closer to Islâm, as he gave them a share of the war booty. That is why some scholars adopt the opinion that it was first prohibited to seek the help of polytheists during a war, but later on it was allowed (when the power of Islâm became stronger). Ash-Shâfi î is of the opinion that if the polytheist has a good opinion concerning the tactics of war etc, it is allowed to seek his assistance, otherwise it is disliked.

1314. Samurah (RAA) narrated that the Messenger of Allâh said, "Kill the mature men<sup>385</sup> of the polytheists but spare their children." Related by Abû Dawûd and At-Tirmidhî graded it as <u>Sahîh</u>.

1315. Alî (RAA) narrated that they (the Muslims and the polytheists)engaged in duel combat on the Day of Badr. Related by Al-Bukhârî and Abû Dawûd reported it as part of a long hadîth.

١٣١٦ ـــ وَعَـــنْ أَبِي أَيُوبَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «إِنَّمَا أُنْزِلَتْ هَذِهِ الآيَةُ فِينَا مَعْشَرَ الأَنْصَارِ ، يَعْنِي قَوْلَهُ - تَعَالَى - : {وَلاَ تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةَ} قَالَهُ رَدًّا عَلَــى مَـــنْ أَنْكَرَ عَلَى مَنْ حَمَلَ عَلَى صَفِّ الرُّومِ حَتَّى دَخَلَ فِيهِمْ». رَوَاهُ الثَّلاَئَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1316. Abû Aiyûb (RAA) narrated that this verse was revealed concerning us (al-Ansâr).' He was referring to the verse, "And do not throw yourselves into destruction,' (2:195). Abû Aiyûb said that to answer those who disapproved of the action of those who attacked the Romans till they were amidst their army.'386 Related by the three Imâms. At-Tirmidhî, Ibn Hibbân and Al-Hâkim graded it as Sahîh.

<sup>385-</sup> He means & the grown up and strong men who are able to fight.

<sup>386-</sup> When the Muslims confronted the Romans at Constantinople, a Muslim fighter attacked the lines of the Romans until he was in their midst, and then returned. People then cried, 'He is throwing himself into destruction.' Abû Ayûb then told them that they are misinterpreting the verse which was revealed concerning the Ansâr, when Allâh granted them victory they said to themselves secretly our property was lost, so why don't we stay here to take care of our property and regain what we have lost (and leave Jihâd in the Cause of Allâh). Allâh, the Almighty then revealed this verse to show them that the real destruction occurs by staying back in their dwellings and not spending their wealth in the Cause of Allâh.

١٣١٧ \_\_ وَعَنْ ابْنِ عُمَرَ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «حَرَّقَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ نَحْلَ بَني النَّضِير وَقَطَّعَ». مُتَّفَقٌ عَلَيْهِ .

1317. Ibn 'Umar narrated that the Messenger of Allâh ﷺ burnt the palm trees of Banû an-Nadîr<sup>387</sup> and cut them down. Agreed upon.

١٣١٨ — وَعَنْ عُبَادَ بْنِ الصَّامِتِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَغُلُّوا فَإِنَّ الْغُلُولَ نَارٌ وَعَارٌ عَلَى أَصْحَابِهِ فِي الدُّنْيَا وَالآخِرَةِ». رَوَاهُ أَحْمَدُ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1318. Ubâdah bin as-Sâmit (RAA) narrated that the Messenger of Allâh said, "Do not be dishonest (and treacherous) about the war booty (i.e. steal from it before it is divided legally), as Ghulûl will be like fire (for the ones who got involved in it) and a cause of disgrace to those who are guilty of it in this world and in the Hereafter." Related by Ahmad, and An-Nasâ'î, and Ibn Hibbân graded it as Sahîh.

١٣١٩ ـــ وَعَـــنْ عَوْف بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَضَى بِالسَّلَبِ لِلْمُقَاتِلِ». رَوَاْهُ أَبُو دَاوُدَ ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ .

1319. 'Auf bin Mâlik (RAA) narrated, 'The Messenger of Allâh judged that the belongings taken from the (non-Muslim enemy) killed soldier in a war, are to be given to the one who killed him.' Related by Abû Dawûd. Muslim reported it as part of a long hadîth.

١٣٢٠ ــ وَعَنْ عَبْدِالرَّحْمَنِ بْنِ عَوْف - رَضِيَ اللَّهُ عَنْهُ - فِي قِصَّةٍ قَتْلِ أَبِي جَهْلٍ قَــالَ : فَابْـــتَدَرَاهُ بِسَيْفَيْهِمَا حَتَّى قَتَلاَّهُ ، ثُمَّ انْصَرَفَا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَخْبَرَاهُ ، فَقَالَ : «أَيُّكُمَا قَتَلَهُ ؟ هَلْ مَسَحْتُمَا سَيْفَيْكُمَا ؟» قَالاً : لاَ . قَالَ : وَسَلَّمَ فَأَخْبَرَاهُ ، فَقَالَ : لاَ . قَالَ :

<sup>387-</sup> This incident took place during the siege of Banû an-Nadîr in Madînah.

فَنَظَرَ فِيهِمَا ، فَقَالَ : «كِلاَكُمَا قَتَلَهُ». فَقَضَى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِسَلَبِهِ لِمُعَاذِ بْنِ عَمْرِو بْنِ الْحَمُوعِ . مُتَّفَقٌ عَلَيْهِ .

1320. 'Abdur Rahmân bin 'Auf (RAA) narrated regarding the story of the killing of Abû Jahl,'...they both<sup>388</sup> hastened to him with their swords till they killed him. Afterwards, they went to the Prophet and informed him (of what they had done). The Messenger of Allâh asked them, "Which of you killed him? Have you wiped your swords?" They said: 'No.' The Prophet then looked at the swords and said, "Both of you killed him." He then ordained that the belongings (weapons, shields etc...) of Abû Jahl should go to Mu'âdh bin 'Amro bin al-Jamûh.' 389 Agreed upon.

١٣٢١ ـــ وَعَـــنْ مَكْحُـــول - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَصَـــبَ الْمَنْجَنِـــيقَ عَلَـــى أَهْلِ الطَّائِفِ». أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَرِجَالُهُ ثِقَاتٌ ، وَوَصَلَهُ الْعُقَيْلِيُّ بِإِسْنَادٍ ضَعِيفٍ عَنْ عَلِيٍّ - رَضِيَ اللَّهُ عَنْهُ - .

1321. Makhûl (RAA) narrated, 'The Messenger of Allâh se set up the ballista while attacking the people of at-Tâ'if.' Related by Abû Dawûd with a trustworthy chain of narrators, but it is hadîth Mursal.

١٣٢٢ ـــ وَعَنْ أَنْسِ – رَضِيَ اللَّهُ عَنْهُ – أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ مَكَّةَ وَعَلَـــى رَأْسِـــهِ الْمَغْفَـــرُ ، فَلَمَّا نَزَعَهُ جَاءَهُ رَجُلٌ ، فَقَالَ : ابْنُ خَطَلٍ مُتَعَلَّقٌ بِأَسْتَارِ الْكَعْبَة . فَقَالَ : «اقْتُلُوهُ». مُتَّفَقٌ عَلَيْه .

1322. Anas (RAA) narrated that the Messenger of Allâh sentered Makkah with a helmet on his head, and when he took it off, a man came to him and said, Ibn Khattal is hanging on to the

<sup>388-</sup> The two sons of al-'Afrâ', who were teenagers at the time.

<sup>389-</sup> The Messenger of Allâh sommanded that the booty be given to Mu'â-dh -as scholars say- because he found that it was him who cut off Abû Jahl's leg with a fatal blow, which eventually killed him.

curtains of the Kabah.' The Prophet st thereupon said, "Kill him." 390 Agreed upon.

١٣٢٣ ـــ وَعَـــنْ سَعِيد بْنِ جُبَيْرٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَتَلَ يَوْمَ بَدْرٍ ثَلاَثَةً صَبْرًا». أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ ، وَرِجَالُهُ ثِقَاتٌ

1323. Sa'îd bin Jubair (RAA) narrated, 'The Messenger of Allâh killed three men<sup>391</sup> on the day of Badr while they were in bonds (by throwing arrows at them until they died).' Related by Abû Dawûd.

١٣٢٤ \_ وَعَنْ عِمْرَانَ يْنِ حُصَيْنٍ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ فَـــدَى وَجُلَــيْنِ مِنَ الْمُسْلِمِينَ بِرَجُلٍ مُشْرِكٍ». أَخْرَجَهُ التَّرْمِذِيُّ وَصَحَّحَهُ ، وَأَصْلَهُ عِنْدَ مُسْلِمٍ .

1324. Imrân bin <u>Husain</u> (RAA) narrated that the Prophet <u>\*</u> exchanged two Muslim men from captivity for one polytheist." Related by At-Tirmidhî.

١٣٢٥ ـــ وَعَنْ صَخْرِ بْنِ الْعَيْلَةِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ الْقَوْمَ إِذَا أَسْلَمُوا أَخْرَزُوا دِمَاءَهُمْ وَأَمْوَالِهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَرِجَالُهُ مُوَنَّقُونَ .

1325. Sakhr bin Al-'Ailah (RAA) narrated that the Messenger of Allâh said, "If the people (polytheists) accept Islâm they will protect their blood and property." Related by Abû Dawûd.

<sup>390-</sup> Ibn Khattal accepted Islâm at first and then the Messenger of Allâh \$\frac{\pi}{2}\$ sent him along with a man from the \$Ans\hat{a}r\$ to collect \$Zak\hat{a}h\$. Ibn Khattal then aposticized and murdered his \$Ans\hat{a}r\$ companion and fled to Makkah with the \$Zak\hat{a}h\$ money. He also had two slave women who used to sing slanderous songs about the Prophet \$\frac{\pi}{2}\$. After the conquest of Makk\hat{a}h Ibn Khattal tried to take refuge in the premises of the Ka'bah by hanging onto its curtains, but the Prophet \$\frac{\pi}{2}\$ ordered his companions to kill him along with his slave women.

<sup>391-</sup>The three men were Tu'aimah bin 'Adî, An-Nadr bin al-Hârith and 'Uqbah bin Abî Mu'ait who threw the entrails of a she-camel on his back while he was performing his prayer by the Ka'bah and they all used to harm the Prophet 38 badly when he was still in Makkah.

١٣٢٦ ـــ وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ فِي أَسَارَى بَدْرٍ : «لَوْ كَانَ الْمُطْعِمُ بْنُ عَدِيٍّ خَيًّا ثُمَّ كَلَّمَنِي فِي هَوُلاَءِ النُّتُنَى لَتَرَكْتُهُمْ لَهُ». رَوَاهُ البُخَارِيُّ .

1326. Jubair bin Mut´im (RAA) narrated, 'The Messenger of Allâh said concerning the prisoners of war taken at Badr, "If al-Mut´am bin 'Adî had been alive and spoken to me about those filthy ones(as they were polytheists), I would have freed them for him." Related by Al-Bukhârî.

١٣٢٧ ـــ وَعَـــنْ أَبِي سَعِيدِ الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «أَصَبْنَا سَبَايَا يَوْمَ أَوْطَاسٍ لَهُنَّ أَزْوَاجٌ ، فَتَحَرَّجُوا ، فَأَنْزَلَ اللَّهُ – تَعَالَى – : {وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلاَّ مَا مَلَكَتْ أَيْمَانُكُمْ} الآيَةَ». أَخْرَجَهُ مُسْلِمٌ .

1327. Abû Sa'îd al-Khudrî (RAA) narrated, 'On the Day (the battle) of Autâs, we took women captives who had husbands. The Companions felt uneasy to have any sexual relation with them. Then Allâh, the Most High revealed the verse, "And women already married (are prohibited for you) except for those whom you possess.'393 (4:24).

١٣٢٨ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «بَعَثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَرِيَّةً - وَأَنَا فِيهِمْ - ، قِبَلَ نَحْد ، فَغَنِمُوا إِبِلاً كَثِيرَةً ، فَكَانَتْ سُهْمَانُهُمْ اثْنَيْ عَشَرَ بَعِيرًا ، وَنُفِّلُوا بَعِيرًا بَعِيرًا». مُتَّفَقٌ عَلَيْهِ .

1328. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh 🎇

<sup>392-</sup> When the Messenger of Allâh # returned from at-Tâ'if, Mut'im bin 'Adî and his sons gave him their protection to enter Makkah safely and announced in Makkah that he will enter Makkah under his protection and that he may pray as he wishes by the Ka'bah.

<sup>393-</sup> When a polytheist woman is taken as a captive her previous marriage is immediately annulled. If this woman is pregnant, it is not allowed to have intercourse with her until she delivers her child. If she is not pregnant, then she must wait for one menstrual cycle before her master can have sexual intercourse with her.

sent a Sariyah <sup>394</sup> to Najd, and I was among them. They got many camels as spoils and each one's share was twelve camels, and they were given an additional camel each.' Agreed upon.

١٣٢٩ ـــ وَعَنْهُ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : «قَسَمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ خَيْبَرَ لِلْفَرَسِ سَهْمَيْنِ وَلِلرَّاجِلِ سَهْمًا». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1329. Ibn 'Umar (RAA) narrated, 'On the Day of Khaibar, the Messenger of Allâh allotted two shares for a horse, and one share (from the war booty) for the fighter." Agreed upon and the wording is from Al-Bukhârî'.

١٣٣٠ ـــ وَلَأْبِـــي دَاوُدَ : «أَسْـــهَمَ لِــرِجُلٍ وَلِفَرَسِهِ ثَلاَثَةَ أَسْهُمٍ : سَهْمَيْنِ لِفَرَسِهِ وَسَهْمًا لَهُ».

1330. Abû Dawûd also reported, 'He allotted three shares for a man and his horse, two for his horse and one for him.'

١٣٣١ ـــ وَعَـــنْ مَعْـــنِ بْنِ يَزِيدَ قَالَ : سَمِعْتُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «لاَ نَفَلَ إِلاَّ بَعْدَ الْخُمُسِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الطَّحَاوِيُّ .

1331. Ma'n bin Yazîd narrated, 'I heard the Messenger of Allâh ﷺ say, "Additional booties (extra to the allotted share) are to be distributed only after the fifth<sup>396</sup> has been kept aside." Related by Ahmad and Abû Dawûd. At-Tahâwî graded it as <u>Sahîh</u>.

١٣٣٢ ـــ وَعَنْ حَبِيبِ بْنِ مَسْلَمَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «شَهِدْتُ رَسُولَ اللَّهِ صَــــلَّى اللَّـــهُ عَلَيْهِ وَسَلَّمَ نَفْلَ الرُّبُعَ فِي الْبَدْءَةِ وَالتَّلُثُ فِي الرَّجْعَةِ». رَوَاهُ أَبُو دَاوُدُ ، وَصَحَّحَهُ ابْنُ الْحَارُودِ ، وَابْنُ حِبَّانَ ، وَالْحَاكِمُ .

<sup>394-</sup> A small army unit sent by the Prophet 5 for Jihad.

<sup>395-</sup> Which means that the rider gets one share, plus two shares which are allotted for his horse as evidenced by the following hadith. As for the fighter who is not riding, he gets one share.

<sup>396-</sup> The fifth which is taken away is to be spent on the poor, the orphans etc.

1332. <u>Habîb</u> bin Maslamah (RAA) narrated, 'I witnessed the Messenger of Allâh is give a quarter (of the war spoils) as an additional booty (to a Sariyah) when they gained booty on their way out to the fight. He also gave a third (of the war spoils) as an additional booty when they gained it on their way back.'397 Related by Abû Dawûd, Ibn al-Gârûd, Ibn <u>Hibbân</u> and Al-<u>Hâkim</u> graded it as <u>Sahîh</u>.

١٣٣٣ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللّهُ عَنْهُمَا - قَالَ : «كَانَ رَسُولُ اللّهِ صَلَّى اللّهُ عَلَـــيْهِ وَسَلَّمَ يُنَفّلُ بَعْضَ مَنْ يَبْعَثُ مِنَ السِّرَايَا لأَنْفُسِهِمْ حَاصَّةً ، سِوَى قِسْمَةِ عَامَّةِ الْجَيْشِ». مُتَّفَقٌ عَلَيْهِ .

1333. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ used to give some (members) of the Sariyah he sent out (i.e. some of the soldiers), additional booties especially for them,<sup>398</sup> apart from the shares which are given to the whole army.' Agreed upon.

١٣٣٤ ـــ وَعَـــنْهُ - رَضِـــيَ اللَّــهُ عَنْهُ - قَالَ : «كُنَّا نُصِيبُ فِي مَغَازِينَا الْعَسَلَ وَالْعِنَبَ ، فَنَأْكُلُهُ وَلاَ نَرْفَعُهُ». رَوَاهُ البُخَارِيُّ ، وَلأَبِي دَاوُدَ : فَلَمْ يُؤْخَذْ مِنْهُ الْخُمُسُ. وَصَحَّحَهُ ابْنُ حَبَّانَ .

1334. Ibn 'Umar (RAA) narrated, 'On our expeditions, we used to get honey and grapes (as spoils)<sup>399</sup> and eat them while on our military expeditions, without bringing them to the Prophet (or whoever is in charge of distributing the spoils).' Related by Al-Bukhârî. Abû Dawûd narrated, 'The fifth was not taken from them.' Ibn Hibbân graded it as Sahîh.

<sup>397-</sup> The Messenger of Allâh # gave them more if the booty is gained on the way back, as the enemy is more on the alert and the fight would be more fierce.

<sup>398-</sup> This was given as an additional reward for something special they did.

<sup>399-</sup> He means that they did not need to take the permission of those who are in charge of distributing the war booty as they are allowed to take the food which is usually eaten either for themselves or for their animals

١٣٣٥ ـــ وَعَـــنْ عَــبْداللّهِ بْنِ أَوْفَى - رَضِيَ اللّهُ عَنْهُ - قَالَ : «أَصَبْنَا طَعَامًا يَوْمَ خَيْـــبَرَ ، فَكَـــانَ الرَّجُلُ يَجِيءُ فَيَأْخُذُ مِنْهُ مِقْدَارَ مَا يَكْفِيهِ ، ثُمَّ يَنْصَرِفُ». أخرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ الْجَارُودِ ، وَالْحَاكِمُ .

1335. 'Abdullâh bin Abî Aufâ (RAA) narrated, 'On the Day of Khaibar, we got some food (as spoils). The man would come and take as much as he needed and then go away.' Related by Abû Dawûd. Ibn al-Gârûd and Al-Hâkim graded it as <u>Sahîh</u>.

١٣٣٦ ــ وَعَــنْ رُوَيْفِعِ بْنِ ثَابِت - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَــيْهِ وَسَــلَّمَ : «مَنْ كَانَّ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ فَلاَ يَرْكَبْ دَابَّةً مِنْ فَيْءِ الْمُسْلِمِينَ ، حَتَّى إِذَا أَعْجَفَهَا رَدَّهَا فِيهِ ، وَلاَ يَلْبَسْ ثُوثُنَا مِنْ فَيْءِ الْمُسْلِمِينَ حَتَّى إِذَا أَعْجَفَهَا رَدَّهُ أَبُو دَاوُدَ ، وَالدَّارِمِيُّ ، وَرِجَالُهُ لاَ بَأْسَ بِهِمْ .

1336. Ruaifi' bin Thâbit (RAA) narrated that the Messenger of Allâh said, "He who believes in Allâh and the Hereafter must not ride on an animal belonging to the booty of the Muslims and put it back when he has emaciated it, or wear a garment belonging to the booty of the Muslims and put it back when it is worn." Related by Abû Dawûd and Ad-Dârimî.

١٣٣٧ — وَعَـــنْ أَبِي عُبَيْدَةَ بْنِ الْجَرَّاحِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ مَـــلَّى اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ مَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «يُجِيرُ عَلَى الْمُسْلِمِينَ بَعْضُهُمْ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ ، وَأَخْمَدُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1337. Abû 'Ubaidah al-Jarrâh (RAA) narrated, 'I heard the Messenger of Allâh say, "Muslims must respect the protection granted (to a non-Muslim) by other Muslims." Related by Ibn Abî Shaibah and Ahmad with a weakness in its chain of narrators.

<sup>400.</sup> This hadîth (and the following ones) provide evidence that a Muslim may give a covenant of protection to a non-Muslim (give him asylum) whether this Muslim is a man or a woman, old or young, rich or poor and it becomes an obligation on all Muslims to respect it.

١٣٣٨ ــ وَلِلطَّيَالِسِي مِنْ حَدِيثِ عَمْرِو بْنِ الْعَاصِ : «يَجِيرُ عَلَى الْمُسْلِمِينَ أَدْنَاهُمْ»

1338. At-Taiâlisî transmitted on the authority of 'Amro bin al-'Âs (RAA), 'The right of giving protection to non-Muslims is extended to the most humble of the believers (and all Muslims must respect it and give him support).'

1339. Al-Bukhârî and Muslim transmitted on the authority of 'Alî (RAA), 'The protection granted by one Muslim is like one given by them all, and this right is extended to the most humble of them.' Ibn Mâjah narrated with a different chain of narrators, 'And the most eminent gives protection on their behalf.'

1340. Al-Bukhârî and Muslim transmitted in the hadîth of Umm Hâni', "We have given protection to whom you have granted (protection)."401

1341. Umar (RAA) narrated, 'I heard the Messenger of Allâh say, "I will certainly expel the Jews and the Christians from the Arabian Peninsula so as to leave only Muslims in it." Reported by Muslim.

<sup>401-</sup> Umm Hâni' was the daughter of Abû Tâlib and the sister of 'Alî bin Abî Tâlib (RAA). She became a Muslim on the conquest of Makkah. The hadîth refers to two men of her family to whom she gave protection on the con-quest of Makkah and her brother 'Alî did not want to accept it, but the Messenger of Allâh 養 accepted her protection.

<sup>402-</sup> Scholars say that polytheists and those adopting other religions can travel by this area to pass through, except for Makkah and Madînah and the sanctuary around each of them. What is really meant here is that they should not get the nationality of this land, in modern standards, rather they may stay temporarily for work or trade. In another had-

١٣٤٢ \_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ ، مِمَّا لَمْ يُوحِفْ عَلَيْهِ الْمُسْلِمُونَ بِخَيْلٍ وَلاَ رِكَابٍ ، فَكَانَتْ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّى أَمْلِهِ نَفَقَةٌ سَنَة ، وَمَا بُقِيَ يَجْعَلُهُ فِي الْكُرَاعِ وَالسَّلاَحِ ، عُدَّةً فِي سَبِيلِ اللَّهِ - عَزَّ وَجَلَّ -». مُتَّفَقٌ عَلَيْهِ .

1342. 'Umar (RAA) narrated, 'The wealth of Banû an-Nadîr (one of the Jewish tribes) was part of what Allâh bestowed on His Messenger , and which the Muslims had not ridden on horses or camels to get (i.e. they did not have to fight); so they belonged specially to the Prophet who would give his family their sustenance for a year, then applied what remained for horses and weapons and equipment in the Path of Allâh, Who is Great and Glorious." Agreed upon.

١٣٤٣ ـــ وَعَـــنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «غَزَوْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَيْبَرَ ، فَأَصَبْنَا فِيهَا غَنَمًا ، فَقَسَمَ فِينَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ طَائِقَةً ، وَجَعَلَ بَقِيَّتَهَا فِي الْمَغْنَمِ». رَوَاهُ أَبُو دَاوُدَ ، وَرِجَالُهُ لا بَأْسَ بِهِمْ .

1343. Mu´âdh bin Jabal (RAA) narrated, 'We went on an expedition to Khaibar along with the Prophet and we got some sheep (as spoils). Then Allâh's Messenger divided some of them among us and divided the rest with the other war booty." Related by Abû Dawûd on the authority of reasonably reliable men.

١٣٤٤ ـــ وَعَـــنْ أَبِي رَافِعِ قَالَ : قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنِّي لاَ أُخِيسُ بِالْعَهْدِ وَلاَ أُخْبِسُ الرُّسُلَ». رَوَاهُ أَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1344. Abû Râfi´ (RAA) narrated that the Messenger of Allâh said, "I do not break a covenant or imprison messengers." Related by Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as <u>Sahîh</u>.

îth the Messenger of Allâh 裳 said that no two beliefs can coexist in the Arabian Peninsula, meaning that no other religions should be established there or have places of worship for this land to remain pure with the call to the Unity of Allâh, the Almighty.

١٣٤٥ ـــ وَعَـــنُ أَبِــي هُرَيْــرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَيُّمَا قَرْيَةٍ أَتَيْتُمُوهَا فَأَقَمْتُمْ فِيهَا فَسَهْمُكُمْ فِيهَا ، وَأَيُّمَا قَرْيَةٍ عَصَتِ اللَّهِ وَرَسُولَهُ ، فَإِنَّ خُمُسَهَا لِلَّهِ وَرَسُولِهِ ، ثُمَّ هِيَ لَكُمْ». رَوَاهُ مُسْلِمٌ .

1345. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Whichever town you take peacefully (they surrendered without fighting), and stay therein, you have a share in it (in whatever is obtained from it); and whichever town disobeys Allâh and His Messenger s, a fifth of (its booty) goes to Allâh and His Messenger and what remains is yours." Related by Muslim.

# بَسابُ الْجِسزَيْسةِ وَالْهُسدُنَسةِ Chapter II: Jizyah<sup>403</sup> and Truces

١٣٤٦ ــ عَـــنْ عَبْدِالرَّحْمَنِ بْنِ عَوْف - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ أَخَذَهَا - يَعْنِي الْجِزْيَةَ - مِنْ مُجُوسِ هَجَرَ». رَوَاهُ البُخَارِيُّ ، وَلَهُ طَرِيقٌ فِي الْمُوَطَّإِ فِيهَا انْقِطَاعٌ .

1346. 'Abdur Rahmân bin 'Auf (RAA) narrated, 'The Messenger of Allâh ﷺ took the *Jizyah* from the Magians of *Hajar*.' Related by Al-Bukhârî.

١٣٤٧ ـــ وَعَـــنْ عَاصِمِ بْنِ عُمَرَ عَنْ أَنَسِ ، وَعَنْ عُنْمَانَ بْنِ أَبِي سُلَيْمَانَ - رَضِيَ اللَّهُ عَلَيْهِ وَسُلَّمُ بُعُثَ خَالِدُ بْنَ الْوَلِيدِ إِلَى أَكَيْدِرَ اللَّهُ عَلَيْهِ وُسُلَّمُ بُعُثَ خَالِدُ بْنَ الْوَلِيدِ إِلَى أَكَيْدِرَ دُومَــة الْجَـنْدُلُ ، فَــَاتَوْهُ فَــاَتُوْا بِــهِ ، فَحَقَنَ دَمَهُ ، وَصَالَحَهُ عَلَى الْجِزْيَةِ». رُواهُ أَبُو دَاوُدَ .

1347. 'Âsim bin 'Umar narrated on the authority of Anas and 'Uthmân bin Abî Sulaimân (RAA), 'The Messenger of Allâh ﷺ sent

<sup>403-</sup> Poll tax money paid by non-Muslims citizens who are staying in a Muslim land, in return for their protection, services provided etc..

Khâlid bin al-Walîd to Ukaidir of Dawmat al-Jandal<sup>404</sup> and they seized him and brought him to the Prophet . The Messenger of Allâh spared his life and made peace with him on the condition that he should pay *Jizyah*. 405 Related by Abû Dawûd.

١٣٤٨ ـــ وَعَـــنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «بَعَثَنِي النَّبِيُّ صَلَّى اللّهُ عَلَـــيْهِ وَسَلَّمَ إِلَى الْيَمَنِ ، فَأَمَرَنِي أَنْ آخُذَ مِنْ كُلِّ حَالِمٍ دِينَارًا ، أَوْ عِدْلَهُ مَعَافِرِيَّا». أَخْرَجَهُ الثَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، وَالْحَاكِمُ .

1348. Mu'âdh bin Jabal (RAA) narrated, "The Messenger of Allâh sent me to Yemen and he commanded me to take the Jizyah from everyone who has reached the age of puberty – one Dînâr- or its equivalent in Ma'âfirî (garments of Yemeni origin).' Related by the three Imâms. Ibn Hibbân and Al-Hâkim graded it as Sahîh.

١٣٤٩ ـــ وَعَنْ عَائِذِ بْنِ عَمْرِو الْمُزَنِيِّ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «الإِسْلَامَ يَعْلُو وَلاَ يُعْلَى». أَخْرَجَهُ الدَّارَقُطْنِيُّ .

1349. 'Â'idh bin 'Amro al-Muzanî (RAA) narrated that the Messenger of Allâh ﷺ said, "Islâm is always superior and should never be surpassed." Related by Ad-Dâragutnî.

١٣٥٠ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَبْدَءُوا الْيَهُودَ وَالنَّصَارَى بِالسَّلاَمِ ، وَإِذَا لَقِيتُمْ أَحَدَهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُ إِلَى أَضْيَقِهِ». رَوَاهُ مُسْلِمٌ .

1350. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Do not start by saluting the Jews and the Ch-

<sup>404-</sup> Dawmat al-Jandal is a fortress near Tabûk held by Ukaidir who was an Arab Chrisitan and this incident took place during the expedition of Tabûk in the 9th year of Hijrah.

<sup>405-</sup> Khâlid bin al-Walîd (RAA) called Ukaidar to Islâm but he refused so they made a peace agreement with him on the condition that he should pay them Jizyah.

ristians (when you meet them), and if you meet any of them on the road, force him to go to the narrowest part of the road (i.e. do not give them positions of authority among you.)" Related by Muslim.

١٣٥١ ــ وَعَنْ الْمِسْوَرِ بْنِ مَخْزَمَةً وَمَرْوَانَ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَرَجَ عَامَ اللَّهُ عَلَيْهِ وَسَلَّمَ خَرَجَ عَسَامَ الْحُدَيْثِ مُحَمَّدُ بْنُ عَسَامَ الْحُدَيْثِ مُحَمَّدُ بْنُ عَسْرَ الْحَدِيثَ بِطُولِهِ ، وَفِيهِ : «هَذَا مَا صَالَحَ عَلَيْهِ مُحَمَّدُ بْنُ عَبْدِاللَّهِ سُهَيْلُ بْنَ عَمْرٍ و : عَلَى وَضْعَ الْحَرْبِ عَشْرَ سِنِينَ يَأْمَنُ فِيهَا النَّاسُ ، وَيَكُفُ بُعْضُهُمْ عَنْ بُعْضٍ». أَخْرُجُهُ أَبُو دُاوُدُ ، وَأَصْلُهُ فِي البُّخَارِيِّ .

1351. Al-Miswar bin Makhramah and Marwân narrated, "The Messenger of Allâh went out in the year of al-<u>H</u>udaibiyah (reconciliation) – the narrator narrated a long <u>h</u>adîth which contained, 'this is what Muhammad bin 'Abdullâh has reconciled with Suhail bin 'Amro, to stop fighting for 10 years during which time people will live safely, and refrain from fighting one another...' Related by Abû Dawûd. It is part of a long <u>h</u>adîth narrated by Al-Bukhârî.

١٣٥٢ \_ وَأَخْسِرَجَ مُسْلِمٌ بَعْضَهُ مِنْ حَدِيثِ أَنَسٍ - رَضِيَ اللَّهُ عَنْهُ - ، وَفِيهِ : أَنَّ مَسِنْ جَاءَنِا مِسِنْكُمْ لَمْ نُرُدَّهُ عَلَيْكُمْ ، وَمَنْ جَاءَكُمْ مِنَّا رَدَدْتُمُوهُ عَلَيْنَا» ، فَقَالُوا : أَتَكُنُبُ هَذَا يَا رَسُولَ اللَّهِ ؟ قَالَ : «نَعَمْ ، إِنَّهُ مَنْ ذَهَبَ مِنَّا إِلَيْهِمْ فَأَبْعَدَهُ اللَّهُ ، وَمَنْ جَاءَنَا مِنْهُمْ فَسَيَجْعَلُ اللَّهُ لَهُ فَرَجًا وَمَخْرَجًا».

1352. Muslim transmitted part of this hadîth on the authority of Anas bin Mâlik (RAA) which says, 'In case any of you comes to us we shall not send him back to you (i.e. one of the Muslims who goes back to Quraysh), and in case any of us came to you, you should send him back to us (any of the people of Quraysh who goes to the Prophet they will send him back to Makkah).' The Companions asked the Prophet,'O Messenger of Allâh! Will you write this down?' He replied, "Yes. May Allâh send out of His Mercy any of the Muslims who goes back to them. But Allâh will grant a way out for anyone who comes to us from them."

١٣٥٣ \_ وَعَــنْ عَبْداللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَالَ : «مَنْ قَتَلَ مُعَاهَدًا لَمْ يَرِحْ رَائِحَةَ الْحَنَّةِ ، وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَامًا». أَخْرَجَهُ البُخَارِيُّ .

1353. 'Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh ﷺ said, "Whoever kills a Mu'âhid406 will not smell the fragrance of Paradise, even though its fragrance could be smelt at a distance of forty years." Related by Al-Bukhârî.

## بَابُ السَّبَسق وَالسرَّمْسي

#### Chapter III: Racing and Marksmanship

١٣٥٤ ــ عَـــنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «سَايَقَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ بِالْخَيْلِ الَّتِي قَدْ ضُمِّرَتْ مِنَ الْحَفْيَاءِ ، وَكَانَ أَمَدُهَا ثَنِيَّةَ الْوَدَاعِ وَسَابَقَ بَيْنَ الْخَيْلِ الَّتِي لَمْ تُضَمَّرُ مِنَ النَّنِيَّةِ إِلَى مَسْجد بَنِي زُرَيْقٍ ، وَكَانَ ابْنُ عُمَرَ فِيمَنْ سَابَق». أَسْتَفَقُ عَلَــيْه ، زَادَ البُخَارِيُّ : قَالَ سُفْيَانُ : «مِنُ الْحُفْيَاءِ إِلَى ثَنِيَّةٍ الْوُدَاعِ خَمْسَةُ أَمْيَالُ ، أَوْ سِتَّةً ، وَمِنَ النَّنِيَّةِ إِلَى مَسْجِد بَنِي زُرَيْقٍ مِيلٌ».

1354. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh \$\mathbb{E}\$ held a horse race, with horses that had been made lean by training, from al-\(\frac{H}{a}\)fiyâ' to Thanyat al-Wadâ' (names of two places) and he held a race from Thanyat-alWadâ' to the mosque of Banû Zuraiq between the horses which had not undergone such training.' Ibn 'Umar was among those who took part in that race. Agreed upon.

Al-Bukhârî added: Sufiân said, 'From al-<u>H</u>afiyâ' to Thanyat al-Wadâ' is a distance of five or six miles and from Thanyat- al-Wadâ' to the mosque of Banû Zuraiq is a distance of one mile.'

١٣٥٥ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَابَقَ بَيْنَ الْخَيْلِ ، وَفَضَّلَ الْقُرَّحَ فِي الْغَابَةِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

<sup>406-</sup> A Mu'âhid is a non Muslim who is staying in an Islâmic State and with whom there is a covenant of peace and protection.

1355. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh \$\frac{\psi}{2}\$ held a horse race and made the destination from the fully grown ones at a longer distance.' Related by Ahmad and Abû Dawûd. Ibn Hibbân graded it as \$\Sigma ah \hat{l}h\$.

١٣٥٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «لاَ سَـــبَقَ إِلاَّ فِي خُفَّ ، أَوْ نَصْلٍ ، أَوْ حَافِرٍ». رَوَاهُ أَخْمَدُ ، وَالنَّلاَثَةُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1356. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, Prize money is allowed only for racing camels, shooting arrows or racing horses." Related by Ahmad and the three Imâms. Ibn Hibbân graded it as <u>Sah</u>îh.

١٣٥٧ ـــ وَعَـــنْهُ - رَضــــيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ أَدْخَـــلَ فَرَسُـــا بَيْنَ فَرَسَيْنِ - وَهُوَ لاَ يَأْمَنُ أَنْ يُسْبَقَ - فَلاَ بَأْسَ بِهِ ، فَإِنْ أَمِنَ فَهُوَ قِمَارٌ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَإِسْنَادُهُ ضَعِيفٌ .

1357. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If anyone introduces a horse in a race with two other horses, when he is not certain that it cannot be beaten, there is no harm in it, but when he is certain (it cannot be beaten) it is then considered as gambling." Related by Ahmad and Abû Dawûd with a weak chain of narrators.

١٣٥٨ ــ وَعَنْ عُقْبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَى الْمُنْبَرِ يَقْرَأُ : {وَأَعِدُوا لَهُمْ مَا اَسْتَطَعْتُمْ مِنْ قُوَةَ وَمِنْ رَبِّكَ اللَّهِ عَلَى الْمُنْبَرِ يَقْرَأُ : {وَأَعِدُوا لَهُمْ مَا اَسْتَطَعْتُمْ مِنْ قُوةَ وَمِنْ رَبِّكَ اللَّهُ عَلَى الْمُنْبِ اللَّهُ إِنَّ الْقُوقَةَ الرَّمْيُ ، أَلاَ إِنَّ الْقُوقَةَ الرَّمْيُ ، أَلاَ إِنَّ الْقُوقَةَ الرَّمْيُ ، أَلا إِنَّ الْقُوقَةَ الرَّمْيُ ». رَوَاهُ مُسْلِمٌ .

1358. Uqbah bin 'Âmir (RAA) narrated, 'I heard the Messenger of Allâh is recite when he was on the pulpit, "And make ready against them all you can of power, including steeds of war(tanks, planes etc.)"(8:60), surely strength is in shooting (arrows); surely strength is in shooting, surely strength is in shooting." Related by Muslim.

## كتسابُ الأَطْعمَسة Book XII: Food Chapter I

١٣٥٩ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كُلُّ ذِي نَابٍ مِنَ السُّبَاعِ فَأَكْلُهُ حَرَامٌ». رَوَاهُ مُسْلِمٌ .

1359. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Eating any predatory beast that has fangs, is prohibited." Related by Muslim.

١٣٦٠ ـــ وَأَخْرَجَهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - بِلَفْظٍ : «نَهَى» ، وَزَادَ : «وَكُلِّ ذِي مِخْلَبِ مِنَ الطَّيْرِ» .

1360. Muslim transmitted the same <u>h</u>adîth on the authority of Ibn 'Abbâs (RAA), 'He (The Messenger of Allâh ﷺ) prohibited...' and had the additional phrase, 'and every bird with talons.'

١٣٦١ ـــ وَعَـــنْ جَابِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ ، وَأَذِنَ فِي لُحُومِ الْخَيْلِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي لَفْظٍ لِلْبُخُارِيِّ : وَرَخَّصَ .

1361. Jâbir (RAA), narrated, 'On the Day of Khaibar, the Messenger of Allâh ﷺ prohibited eating the flesh of domestic asses, but permitted horse flesh.' Agreed upon.

١٣٦٢ ـــ وَعَـــنْ ابْنِ أَبِي أُوْفَى - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «غَزَوْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ سَبْعَ غَزَوَات نَأْكُلُ الْجَرَادَ». مُثَّفَقٌ عَلَيْه .

1362. Ibn Abî Aufâ (RAA) narrated, 'We went on seven expeditions with the Messenger of Allâh ﷺ and we ate locusts.' Agreed upon.

١٣٦٣ ـــ وَعَنْ أَنَسٍ – رَضِيَ اللَّهُ عَنْهُ – فِي قصَّةِ الأَرْنَبِ – قَالَ : «فَلاَبَحَهَا فَبَعَثَ بِوَرِكِهَا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَبِلَهُ». مُتَّفَقٌ عَلَيْهِ .

1363. Anas (RAA) narrated regarding the story of the rabbit,<sup>407</sup> 'He (Abû <u>Talh</u>â) slaughtered it and sent its leg to the Messenger of Allâh ﷺ and he accepted it.' Agreed upon.

١٣٦٤ ـــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَــــلَّمَ عَنْ قَتْلِ أَرْبَعٍ مِنَ الدَّوَابِّ : النَّمْلَةِ ، وَالنَّحْلَةِ ، وَالْهُدْهُدِ ، وَالصَّرَدِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1364. Ibn 'Abbâs (RAA), 'The Messenger of Allâh **\$\mathbb{R}\$** prohibited killing four creatures: ants, bees, hoopoes and shrikes.' Related by Ahmad and Abû Dawûd. Ibn **H**ibbân graded it as **Sahîh**.

١٣٦٥ ـــ وَعَـــنْ ابْـــنِ أَبِي عَمَّارِ قَالَ : «قُلْتُ لِجَابِرِ – رَضِيَ اللَّهُ عَنْهُ – : الضَّبُعُ صَيْدٌ هِيَ ؟ قَالَ : نَعَمْ . قُلْتُ : قَالَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ؟ قَالَ : نَعَمْ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ البُخَارِيُّ ، وَابْنُ حبَّانَ .

1365. Ibn Abî 'Ammâr narrated, 'I said to Jâbir (RAA), 'Is hyena a kind of game?'<sup>408</sup> He replied, 'Yes.' I asked, 'Did Allâh's Messenger say that?' He replied. 'Yes.' Related by Ahmad and the four Imâms. Al-Bukhârî and Ibn Hibbân graded it as Sahîh.

١٣٦٦ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّهُ سُئِلَ عَنِ الْقُنْفُذِ ، فَقَالَ : {قُلْ لاَ أَجِـــدُ فِـــي مَا أُوحِيَ إِلَيَّ مُحَرَّماً} الآيَةَ ، فَقَالَ شَيْخٌ عِنْدَهُ : سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ : ذُكِرَ عِنْدَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : «إِنَّهَا خَبِيئَةٌ مِنَ الْخَبَائِثِ» ،

<sup>407-</sup> Anas and some other companions chased a rabbit at Marr adh Dhahrân, and his companions got tired of chasing it, but Anas kept on till he caught it and brought it to Abû Talhah who sent its leg to the Prophet 素.

<sup>408-</sup> According to this <u>h</u>adîth, eating hyena is permissible, but some scholars say that it is prohibited to eat it as it digs into graves to get human flesh.

فَقَالَ ابْنُ عُمَرَ : إِنْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ هَذَا ، فَهُوَ كَمَا قَالَ : أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَإِسْنَادُهُ ضَعِيفٌ .

1366. Ibn 'Umar (RAA) narrated that he was asked about a hedgehog and he then recited, "Say (O Muhammad ) I find not in that which has been inspired to me anything forbidden.." (6:145). An old man who was present said, 'I heard Abû Hurairah say, 'It was mentioned in the presence of the Prophet and he said, "It is an abomination from those things which are abominable." Ibn 'Umar then said, 'If the Messenger of Allâh had said that, then it is as he said.' Related by Ahmad and Abû Dawûd with a weak chain of narrators.

١٣٦٧ ـــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْجَلاّلَةِ وَأَلْبَانِهَا». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيُّ وَحُسَّنَهُ التَّرْمِذِيُّ .

1367. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited eating the animal which feeds on filth or drinks its milk.'Related by the four Imâms except for An-Nasâ'î. At-Tirmidhî graded it as <u>H</u>asan.

١٣٦٨ ـــ وَعَـــنْ أَبِـــي قَتَادَةَ – رَضِيَ اللَّهُ عَنْهُ – فِي قِصَّةِ الْحِمَارِ الْوَحْشِيِّ – : «فَأَكَلَ مِنْهُ النَّبِيُّ صَلًى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُتَّفَقٌ عَلَيْهِ .

1368. Abû Qatâdah narrated concerning the story of the zebra 'The Messenger of Allâh ﷺate from it.' Agreed upon. (refer to <u>h</u>adîth no. 753).

١٣٦٩ ـــ وَعَـــنُ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَتْ : «نَحَرُنَا عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَرَسًا ، فَأَكَلْنَاهُ». مُتَّفَقٌ عَلَيْهِ .

1369. Asmâ' bint Abî Bakr (RAA) narrated, 'During the lifetime of the Prophet \$\mathbb{Z}\$, we slaughtered a horse and ate it.' Agreed upon. ١٣٧٠ ــ وَعَـــن ابْنِ عَبَّاسِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : «أَكِلَ الضَّبُّ عَلَى مَائِدَةِ
 رَسُول اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ». مُثَّفَق عَلَيْه .

1370. Ibn 'Abbâs (RAA) narrated, 'The sand lizard was served as food on the table of the Prophet 2. 'Agreed upon.

١٣٧١ ـــ وَعَـــنْ عَبْدِالرَّحْمَنِ بْنِ عُنْمَانَ الْقُرَشِيِّ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ طَبِيبًا سَـــأَلَ رَسُــولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْضَّفْدَعِ يَجْعَلُهُا فِي دَوَاءٍ ، فَنَهَى عَنْ قَتْلِهَا». أَخْرَجَهُ أَخْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَأَخْرَجَهُ أَبُو دَاوُدَ ، وَ النَّسَائِيُّ .

1371. 'Abdur Rahmân bin 'Uthmân al-Qurashî (RAA) narrated, 'A doctor consulted the Prophet about extracting medicine from a frog but he prohibited killing it.' Related by Ahmad, Abû Dawûd and An-Nasâ'î. Al-Hâkim graded it as <u>Sahîh</u>.

# بَابُ الصَّيْدِ وَالذَّبَائِحِ

#### Chapter II: Hunting and Slaughtering

١٣٧٢ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ اتَّخَذَ كَلْبًا - إِلاَّ كَلْبَ مَاشِيَةٍ ، أَوْ صَيْدٍ ، أَوْ زَرْعٍ - اَتْتَقِصَ مِنْ أَخْرِهِ كُلَّ يَوْمٍ قِيرَاطٌ». مُتَّفَقٌ عَلَيْهِ .

1372. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, 'If anyone owns a dog except a sheepdog, a hunting dog, or a farm dog, a carat of his reward will be deducted daily." Agreed upon.

١٣٧٣ ـــ وَعَنْ عَدِيِّ بْنِ حَاتِمٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَرْسَلْتَ كَلْبَكَ فَاذْكُرِ اسْمَ اللَّهِ عَلَيْهِ ، فَإِنْ أَمْسَكَ عَلَيْكَ فَأَدْرَكْتَهُ حَيًّا فَاذْبَحْهُ ، وَإِنْ أَدْرَكْتَهُ قَدْ قَتَلَ وَلَمْ يَأْكُلْ مِنْهُ فَكُلْهُ ، وَإِنْ وَجَدْتَ مَعَ كَلْبِكَ كَلْبًا

<sup>409-</sup> The Messenger of Allâh & did not prohibit them from eating it, but he did not like it himself

غُـــيْرَهُ وَقَدْ قَتَلَ فَلاَ تَأْكُلْ ، فَإِنَّكَ لاَ تَدْرِي أَيُّهُمَّا فَتَلَهُ ، وَإِنْ رَمَيْتَ بِسَهْمِكَ فَاذْكُرِ اسْــــمَ اللهِ – تَعَالَى – ، فَإِنْ غَابَ عَنْكَ يَوْمًا فَلَمْ تَجِدْ فِيهِ إِلاَّ أَثْرَ سَهْمِكَ فَكُلْ إِنْ شَيْتَ ، وَإِنْ وَجَدْتُهُ غَرِيقًا فِي الْمَاءِ فَلاَ تَأْكُلْ». مُتَفَقَّ عَلَيْهِ ، وَهَذَا لَفْظُ مُسْلِمٍ .

1373. 'Adî bin Hâtim (RAA) narrated,' The Messenger of Allâh said to me, "When you set off your dog, mention Allâh's Name (say Bismillâh), and if it catches anything for you and you come up to it while it is still alive slaughter it; if you come up to it when the dog has killed it but not eaten any of it, eat it. If you find another dog with yours and the game has been killed, do not eat, for you do not know which of them killed the animal. When you shoot your arrow, mentions Allâh's Name and if the game goes out of sight for a day and you find it without any marks except for that of your arrow, eat if you wish, but if you find it drowned in water do not eat it." Agreed upon, and the wording is from Muslim.

١٣٧٤ ـــ وَعَنْ عَدَيٌّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ عَنْ صَيْدِ الْمَعْرَاضِ ، فَقَالَ : «إِذَا أَصَبْتَ بِحَدِّهِ فَكُلْ ، وَإِذَا أَصَبْتَ بِعَرْضِهِ فَقَتَلَ فَإِنَّهُ وَقِيدٌ ، فَلاَ تَأْكُلْ». رَوَاهُ البُخَارِيُّ .

1374. 'Adî (RAA) narrated, 'I asked the Messenger of Allâh sabout hunting using a featherless arrow (al-Mi'râd410). He replied, "If the game is killed with its sharp edge (the iron piece) eat it; but if it strikes with the middle part of the shaft (i.e. it is not penetrated with the sharp part) and the game is killed (due to being hit with it), it is considered a Mauqûdhah411, so do not eat it." Related by Al-Bukhârî.

<sup>410-</sup> It is a featherless arrow without a sharp edge, but it hits the game with its broad side. Some say that the Mi'râd is a thick bar of wood with a piece of iron fixed to its edge and it could be without this piece of iron which is closer to its description.

<sup>411-</sup> The Mauqudhah is the animal killed by a violent blow with a stone or a stick and it is prohibited to eat it. This hadîth clearly specifies that if the game is wounded with a sharp object and bleeds to death, then it is

١٣٧٥ \_\_ وَعَـــنْ أَبِــي ثَعْلَــبَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عُلَيْهِ وَسَلَّمَ قَالَ : «إِذَا رَمَيْتَ بِسَهْمِكَ ، فَغَابَ عَنْكَ فَأَدْرَكْتُهُ ، فَكُلْهُ مَا لَمْ يَنْتُنْ». أَخْرَجَهُ مُسْلِمٌ .

1375. Abû Tha labah (RAA) narrated that the Messenger of Allâh said, "When you shoot your arrow and the game has gone out of sight, eat it when you come upon it, provided it has not become rotten." Related by Muslim.

١٣٧٦ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - : أَنَّ قَوْمًا قَالُوا لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : إِنَّ قَوْمًا يَأْتُونَنَا بِاللَّحْمِ ، لاَ نَدْرِي : أَذَكَرُوا اسْمَ اللَّهِ عَلَيْهِ أَمْ لاَ ؟ فَقَالَ : «سَمُّوا اللَّهَ عَلَيْهِ أَنْتُمْ وَكُلُوهُ». رَوَاهُ البُخَارِيُّ .

1376. 'Â'ishah (RAA) narrated, 'Some people said to Allâh's Messenger , 'There are people who bring us meat and we do not know whether or not they have mentioned Allâh's name over it.' He replied, "Mention Allâh's name yourselves and eat it." Related by Al-Bukhârî.

١٣٧٧ ـــ وَعَنْ عَبْدَاللّهِ بْنِ مُغَفَّلٍ - رَضِيَ اللّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ نَهَى عَنِ الْخَذْفِ ، وَقَالَ : «إِنَّهَا لاَ تَصيدُ صَيْدًا ، وَلاَ تَنْكَأُ عَدُوًّا ، وَلَكِنَّهَا تَكْسِرُ السِّنَّ ، وَتَفْقَأُ الْعَيْنَ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1377. 'Abdullâh bin Mughaffal al-Muzanî (RAA) narrated, 'The Messenger of Allâh sprohibited throwing pebbles (on animals) and said, 'Such means do not hunt a game, nor do they injure an enemy, but they only may break a tooth or gouge out an eye." Agreed upon, and it is Muslim's version.

permissible to eat it but if it dies out of being hit by an object it is not lawful to eat in this case, as the body is not penetrated to bleed.

<sup>412-</sup> If the animal is found having drowned, it is forbidden to eat it, but if he found it still alive it must be slaughtered first. As stated previously, if he found his game with no other injury except for that of the arrow, then it is lawful to eat even if it is dead, as long as it is not rotten.

١٣٧٨ \_ وَعَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَتَّخذُوا شَيْئًا فيه الرُّوحُ غَرَضًا». رَوَاهُ مُسْلمٌ .

1378. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Do not take any living creature as a target." Related by Muslim.

١٣٧٩ \_ وَعَـــنْ كَعْـــبِ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ امْرَأَةً ذَبَحَتْ شَاةً بِحَجَرِ ، فَسُئِلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسُلَّمَ عَنْ ذَلِكَ ، فَأَمَرَ بِأَكْلِهَا». رَوَاهُ البُخَارِيُّ .

1379. Ka'b bin Mâlik (RAA) narrated, 'A woman slaughtered a sheep with a stone, so the Prophet saw was asked about that and he ordered it to be eaten.' Related by Muslim.

١٣٨٠ ــ وَعَنْ رَافِعِ بْنِ حَدِيجٍ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَـــا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللَّهِ عَلَيْهِ فَكُلْ ، لَيْسَ السِّنَّ وَالظُّفُرَ ، أَمَّا السِّنُّ فَعَظْمٌ ، وَأَمَّا الظُّفُرُ فَمُدَى الْحَبَشَةِ». مُثَّفَقٌ عَلَيْهِ .

1380. Râfi' bin Khadîj (RAA) narrated that the Prophet said, "You may eat an animal which is slaughtered by any means which causes the blood to gush out as long as Allâh's Name is mentioned over it, except for the tooth and the claw (not allowed to be used). The tooth is a bone and the claw is the knife of the Abyssinians (Ethiopians)." Agreed upon.

١٣٨١ ـــ وَعَـــنْ جَايِرِ بْنِ عَبْدَاللَّهِ – رَضِيَ اللَّهُ عَنْهُمَا – قَالَ : «نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يُقْتَلَ شَيْءٌ مِنَ الدَّوَابِّ صَبْرًا». رَوَاهُ مُسْلِمٌ .

1381. Jâbir bin 'Abdullâh (RAA) narrated, 'The Messenger of Allâh ﷺ prohibited beating a tied-animal to death.' Related by Muslim.

<sup>413-</sup> Any sharp object, which makes the blood flow, could be used to slaughter an animal except for a tooth or a bone.

١٣٨٢ ــ وَعَــنْ شَــدَّادِ بْــنِ أَوْسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ؛ «إِنَّ اللَّــةَ كَتَبَ الإِحْسَانَ عَلَى كُلِّ شَيْءٍ ، فَإِذَا فَتَلْتُمْ فَأَحْسِنُوا الْقِتْلَةِ ، وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا اللَّبْحَةَ ، وَلَيُوحْ فَبِيحَتَهُ». رَوَاهُ مُسْلِمٌ .

1382. Shaddâd bin Aus (RAA) narrated that the Messenger of Allâh said, "Verily, Allâh has prescribed proficiency in all things. Thus, if you kill, kill in the least painful manner you can; and when you slaughter an animal, do it in the best possible way; and any of you should sharpen his blade so that the animal may be spared from the suffering of the slaughtering." Reported by Muslim.

١٣٨٣ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ذَكَاةُ الْمُذِينِ ذَكَاةُ أُمِّهِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1383. Abû Sa´îd al-Khudrî (RAA) narrated that the Messenger of Allâh said, "The (legal) slaughtering of the fetus is included when its mother is slaughtered." Related by Ahmad and Ibn Hibbân graded it as <u>Sahîh</u>.

١٣٨٤ - وَعَــنْ ابْنِ عَيَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «الْمُسْلَمُ يَكُفيهِ اسْمُهُ ، فَإِنْ نَسِيَ أَنْ يُسَمِّيَ حِينَ يَذْبُحُ فَلْيُسَمِّ ثُمَّ لِيَأْكُلْ». أَخْــرَجَهُ الدَّارَقُطْــنِيُّ ، وَفِــيهِ رَاوِ فِي حِفْظِهِ ضَعْفٌ ، وَفِي إِسْنَادِهِ مُحَمَّدُ بُنُ يَزِيدَ بْنُ سِنَان ، وَهُوَ صَدُوقٌ ضَعيفُ الْحِفْظِ .

1384. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh

<sup>414-</sup> If someone is to be executed (for any crime he committed), he should be killed in such a manner that he faces the least possible suffering and that he passes away as quickly as possible.

<sup>415-</sup> When someone is slaughtering an animal he should not move it around violently, neither draw it with force, nor slaughter it in the presence of another animal that may be watching it.

<sup>416-</sup> When the cow or the camel is slaughtered and a fetus is found inside, the fetus is lawful to eat if one wishes. That only applies if it was found dead, but if it was still alive, it must be slaughtered.

said, "A Muslim's name is sufficient for him, so if he forgets to mention Allâh's Name when he slaughters an animal, he should mention Allâh's Name, then eat it." Related by Ad-Dâraqutnî but there is a weak narrator in its chain. Also there is Muhammad bin Yazîd bin Sinân in its chain who is truthful but had a weak memory.

1385. Abdur Razzâq transmitted it with a sound chain of narrators on the authority of Ibn Abbâs but it is not connected up to the Prophet ...

1386. Abû Dawûd narrated a similar <u>h</u>adîth that reads, "The slaughtering of any Muslim is <u>H</u>alâl (lawful) whether or not he mentioned Allâh's name over it."<sup>417</sup> Its narrators are reliable.

## بَسابُ الأَضَساحسي

#### Chapter III: Sacrifices on Îdul Ad-hâ

١٣٨٧ \_ عَــنْ أَنَـسِ بْــنِ مَالِك : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يُضَحِّي بِكَبْشَــيْنِ أَقْرَئَيْنِ ، وَيُسَمِّي ، وَيُكَبِّرُ ، وَيَضَعُ رِجْلَهُ عَلَى صِفَاحِهِمَا». وَفِي لَفْظ : «نَمِينَيْنِ» ، وَلاَبِي عَوَانَةَ فِي صَحِيحِهِ : تُمينَيْنِ - «ذَبَحَهُمَـا بِسَيْدِه» ، وَفِي لَفْظ : «سَمِينَيْنِ» ، وَلاَبِي عَوَانَةَ فِي صَحِيحِهِ : تُمينَيْنِ - «بَالْمُثَلَّثَةِ» بَدَلَ السِّينِ - وَفِي لَفْظ لِمُسْلِمٍ ، وَيَقُولُ : «بَسْمِ اللَّهِ ، وَاللَّهُ أَكْبَرُ» .

1387. Anas bin Mâlik (RAA) narrated, The Messenger of Allâh used to sacrifice two two-horned rams, mention Allâh's name

<sup>417-</sup> Most scholars are of the opinion that pronouncing the Tahbîr and Bismillâh is a Sunnah except for Abû Hanîfah. There is also a consensus among the scholars that if a Muslim deliberately does not mention Allâh's name while slaughtering then the animal becomes unlawful to eat, but if he forgets then it is permissible to eat it and it is enough in this case to mention Allâh's name before eating it.

and say the Takbîr (Allâh Akbar or Allâh is the Most Great), and place his foot on their sides.' In another version, 'He slaughtered them with his own hands.' Another version has, 'Two fat rams,' and another has, 'two precious rams.' Agreed upon. In a version by Muslim, 'and would say Bismillâh and Allâh Akbar.'

١٣٨٨ ــ وَلَهُ مِنْ حَدِيثِ عَائِشَةً - رَضِيَ اللَّهُ عَنْهَا - : أَمَرَ بِكَبْشِ أَقْرَنَ ، يَطَأُ فِي سَواد ، وَيَنْظُرُ فِي سَواد ، فَأْتِيَ بِهِ لِيُضَحِّيَ بِهِ ، فَقَالَ لَهَا : «يَا عَائِشَتُ ، هَلُمِّي الْمُدْيَةَ» ، ثُمَّ قَالَ : «اشْحَذِيهَا بِحَجَرٍ» ، فَفَعَلَتْ ، ثُمَّ أَخَذَهَا ، وَأَخَدَدَهُ ، فَأَضَحَعَهُ ، ثُمَّ قَالَ : «بِسْمِ اللَّهِ ، اللَّهُمَّ تَقَبَّلْ مِنْ مُحَمَّد ، وَمِنْ أُمَّةٍ مُحَمَّد» ثُمَّ ضَحَّى بِهِ .

1388. Muslim has also reported on the authority of 'Â'ishah (RAA), "Allâh's Messenger and ordered a horned ram with black legs, a black belly and black around its eyes, and it was brought for him to sacrifice and he said to 'Â'ishah (RAA), "'Â'ishah, get the knife." Then he said, "Sharpen it with a stone." When she had done so he took it, then taking it (the ram) he placed it on the ground and slaughtered it. He then said, "Bismillâh (In the name of Allâh), O Allâh, accept it from Muhammad, Muhammad's family and from Muhammad's Ummah (followers)." Then he sacrificed it.'

١٣٨٩ ـــ وَعَـــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَمَ : «مَنْ كَانَ لَهُ سَعَةٌ ، وَلَمْ يُضَحِّ فَلاَ يَقْرَبَنَّ مُصَلاَّنَا». رَوَاهُ أَحْمَدُ ، وَابْنُ مَاحَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ الأَئِمَّةُ غَيْرُهُ وَقْفَهُ .

1389. Abû Hurairah (RAA) narrated that Allâh's Messenger said, "He who can afford it but did not offer a sacrifice must not come near our place of prayer." Related by Ahmad and Ibn Mâjah. Al-Hâkim graded it as <u>Sahîh</u>. Other Imâms said that it is Mawqûf (i.e. it is not connected to the Prophet ...)

<sup>418-</sup> Offering a sacrifice is not obligatory, but it is a confirmed Sunnah which was always practiced by the Prophet 裳.

١٣٩٠ ــ وَعَـــنْ جُــنْدُبِ بْنِ سُفْيَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالُ : شَهِدْتُ الأَضْحَى مَــعَ رَسُــولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَلَمَّا قَضَى صَلاَتَهُ بِالنَّاسِ نَظَرَ إِلَى غَنَمٍ قَدْ دُبِحَــتْ ، فَقَــالَ : «مَنْ ذَبَحَ قَبْلَ الصَّلاَةِ فَلْيَذْبُحْ شَاةً مَكَانَهَا ، وَمَنْ لَمْ يَكُنْ ذَبَحَ فَلَيْذَبُحْ عَلَى اسْم اللَّهِ». مُتَّفَقٌ عَلَيْهِ .

1390. Jundub bin Sufiân (RAA) narrated, I witnessed (the prayer of) Îdul Ad-hâ with the Messenger of Allâh and when he finished his prayer with the people, he looked at a sheep which had been sacrificed, so he said, "Anyone who has sacrificed before the prayer must sacrifice another goat instead (of the one which he slaughtered before the prayer) and if anyone has not sacrificed he should do so in Allâh's name." Agreed upon.

١٣٩١ ــ وَعَـــنْ الْــبَرَاءِ بْنِ عَازِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَامَ فِينَا رَسُولُ اللَّهِ صَــلَى اللَّهُ عَنْهُ - قَالَ : قَامَ فِينَا رَسُولُ اللَّهِ صَــلَى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «أَرْبَعٌ لاَ تَجُوزُ فِي الضَّحَايَا : الْعَوْرَاءُ الْبَيِّنُ عَوَرُهَا ، وَالْمَرِيضَـــةُ البَّبِينُ مَرَضُـــهَا ، وَالْعَــرْجَاءُ الْبَيِّنُ ظَلَعُهَا ، وَالْكَبِيرَةُ الَّتِي لاَ تُنْقِي». وَالْمَرِيضَــةُ البِّينُ مَرَضَــهَا ، وَصَحَّحَهُ التِّرْمذيُّ ، وَابْنُ حَبَّانَ .

1391. Al-Barâ' bin 'Âzib (RAA) narrated Allâh's Messenger stood among us and said, "There are four types of sacrificial animals, which are not permitted: A one-eyed animal which has obviously lost the sight of one eye, a sick animal which is obviously sick, a lame animal which obviously limps, and an old animal which has no marrow." Related by Ahmad and the four Imâms. At-Tirmidhî and Ibn Hibbân graded it as Sahîh.

١٣٩٢ ـــ وَعَنْ جَابِرِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَذْبَحُوا إِلاّ مُسِنَّةً ، إِلاَّ إِنْ تَعَسَّرَ عَلَيْكُمْ فَتَذْبَحُوا جَذَعَةً مِنَ الضَّأْنِ». رَوَاهُ مُسْلِمٌ .

1392. Jâbir (RAA) narrated that Allâh's Messenger 🎉 said,

This hadith is evidence that if an animal is slaughtered before the 'eid prayer, then it is not considered a sacrifice and will not get the reward as such, it is rather considered as a charity to be given to the poor. The proper sacrifice must be slaughtered after the prayer, which is why the Messenger of Allâh at told them to sacrifice another one.

"Sacrifice only a full-grown animal unless it is difficult for you, in which case you should sacrifice a (six to ten month old) sheep." Reported by Muslim.

١٣٩٣ ـــ وَعَـــنْ عَلِـــيِّ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : «أَمَرَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - وَلاَ نُضَحِّيَ بِعَوْرَاءَ ، وَلاَ مُقَابَلَةٍ ، وَلاَ عَلَــيْهِ وَسَـــلَّمَ أَنْ نَسْتَشْرِفَ الْعَيْنَ وَالأَذُنَ ، وَلاَ نُضَحِّيَ بِعَوْرَاءَ ، وَلاَ مُقَابَلَةٍ ، وَلاَ مُدَابَرَاةً ، وَلاَ خَرْقَاءَ ، وَلاَ ثَرْمَاءَ». أَخْرَجَهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمُدِيُّ ، وَابْرُ جَبَّانَ ، وَالْحَاكِمُ .

1393. 'Alî (RAA) narrated, 'Allâh's Messenger senjoined us to pay great attention to the eye and the ear, and not sacrifice a one-eyed animal, or an animal with a slit which leaves something hanging at the front or back of the ear, or with a perforation in the ear, or an animal with broken front teeth.' Related by Ahmad and the four Imâms. At-Tirmidhî, Ibn Hibbân and Al-Hâkim graded it as Sahîh.

١٣٩٤ ـــ وَعَـــنْ عَلِيِّ بْنِ أَبِي طَالِب - رَضِيَ اللَّهُ عَنْهُ - قَالَ : ﴿أَمَرُنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أَقُومَ عَلَى بُدَنِهِ ، وَأَنْ أَقَسِّمَ لُحُومَهَا وَحُلُودَهَا وَحِلاَّلُهَا عَلَى صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أَقُومَ عَلَى بُدَنِهِ ، وَأَنْ أَقَسِّمَ لُحُومَهَا وَحُلُودَهَا وَحِلاَّلُهَا عَلَى اللَّهُ عَلَيْهِ . الْمَسَاكِينِ ، وَلاَ أَعْطِي فِي حَزَارَتِهَا شَيْئًا مِنْهَا». مُتَفَقٌ عَلَيْهِ .

1394. 'Alî bin Abî <u>T</u>âlib (RAA) narrated, 'The Messenger of Allâh appointed me to be in charge of his sacrificial animals, and commanded me to distribute all their meat, hides, and saddlery to the poor, and not to give anything from them to the butcher.' 420 Agreed upon

١٣٩٥ ـــ وَعَنْ حَابِرِ بْنِ عَبْدِاللَّهِ قَالَ : «نَحَرْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَ الْحُدَيْبِيَّةِ الْبَدَنَةَ عَنْ سَبْعَةٍ ، وَالْبَقَرَةِ عَنْ سَبْعَةٍ». رَوَاهُ مُسْلِمٌ .

1395. Jâbir (RAA) narrated, 'In the year of <u>Hudaibiyah</u> (Reconciliation), we sacrificed a camel for each seven people along with Allâh's Messenger , and also a cow for seven.'Related by Muslim.

<sup>420-</sup> It is prohibited to give the butcher his wages in the form of some meat of the sacrificed animal, unless he does not take it willingly.

### بَسابُ الْعَقيقَسة

#### Chapter IV: 'Aqîqah421

١٣٩٦ \_ عَــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - : «أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَـــقَّ عَنِ الْحَسَنِ وَالْحُسَيْنِ كَبْشًا كَبْشُا». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ ، وَابْنُ الْحَارُودِ ، وَعَبْدِالْحَقِّ ، لَكِنْ رَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ .

1396. Ibn 'Abbâs (RAA) narrated, 'The messenger of Allâh slaughtered a ram for both al-Hasan and al-Husain<sup>422</sup> (at their birth).' Related by Abû Dawûd, Ibn Khuzaimah, Ibn al-Gârûd and 'Abdul Haqq graded it as <u>Sahîh</u>, but Abû <u>H</u>âtim said that it is most probably *Mursal*.

1397. Ibn  $\underline{\mathbf{H}}$ ibbân transmitted a similar  $\underline{\mathbf{h}}$ adîth on the authority of Anas.

١٣٩٨ ـــ وَعَـــنْ عَائِشَــةَ - رَضِيَ اللَّهُ عَنْهَا - : «أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ أَمَـــرَهُمْ أَنْ يُعَـــقَّ عَـــنِ الْغُـــلاَمِ شَاتَانِ مُكَافِئَتَانِ ، وَعَنْ الْجَارِيَةِ شَاةٌ». رَوَاهُ التِّرْمِذِيُّ وَصَحَّحَهُ .

1398. 'Â'ishah (RAA) narrated, 'Allâh's Messenger ﷺ commanded them to slaughter two sheep equal (in age) for a boy and one for a girl at their birth.' Related by At-Tirmidhî and graded it as <u>Sahîh</u>.

<sup>421-</sup> This term is used for the animal which is slaughtered for the sake of a new-born baby whether male or female. The Sunnah is that the animal is to be slaughtered on the 7th day of the baby's birth, and also it is an act of the Sunnah of the Prophet 类 to slaughter one sheep for the female and two for the male.

<sup>422.</sup> They are the grandsons of the Messenger of Allâh \$\mathsup{\alpha}\$, and the sons of \$\text{OAl}\$ bin Abî \$\text{T}\$ âlib and \$\text{F}\$\$\alpha\$timah the Prophet's daughter. Al-\$\text{H}\$ usain is one year younger than al-\$\text{H}\$ asan.

١٣٩٩ ـــ وَأَخْرَجَ أَحْمَدُ ، وَالأَرْبَعَةُ عَنْ أُمِّ كُرْزِ الْكَعْبِيَّةِ نَحْوَهُ .

1399. Ahmad and the four Imâms transmitted a similar hadîth on the authority of Umm Kurz al-Ka biyah.

١٤٠٠ ـــ وَعَـــنْ سَـــمُرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «كُـــلُّ غُلاَمٍ مُرْتَهَنَّ بِعَقيقَتِهِ ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ ، وَيُحْلَقُ ، وَيُسْمَّى».
 رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَصَحَّحَهُ التَّرْمِذِيُّ .

1400. Samurah (RAA) narrated that Allâh's Messenger ﷺ said, "Every boy is pawned<sup>423</sup> against his 'Aqîqah, to be slaughtered on his behalf on the seventh day of his birth, his head is to be shaved, and he must be given a name." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as <u>Sahîh</u>.

<sup>423-</sup> The Messenger of Allâh \$\mathbb{B}\$ is drawing a similarity between an article, which is pawned and a child who is lying in a state of being pledged. If his parents do not do this \$\mathbb{Aqqqah}\$ for him, he will not be able to intercede for them with Allâh on the Day of Judgment, if he dies in his childhood before reaching the age of puberty; i.e. they will not benefit from his intercession to their welfare.

## كِــتَــابُ الأَيْمَــانِ وَالنُّـــذُورِ

#### **Book XII: Oaths and Vows**

#### Chapter I

١٤٠١ \_ عَسنِ ابْسنِ عُمْرَ - رَضِيَ اللَّهُ عَنْهُمَا - عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : أَنَّهُ أَذْرَكَ عُمَرَ بُنَ الْخَطَّابِ فِي رَكْبِ ، وَعُمَرُ يَحْلفُ بِأَبِيهِ ، فَنَادَاهُمْ رَسُولُ اللَّهِ صَلَّمَ : «أَلاَ إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ ، فَمَنْ كَانَ حَالفًا فَلْيَحْلفُ بِاللَّه ، أَوْ ليَصْمُتْ». مُتَّفَقٌ عَلَيْه .

1401. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh acaught up with 'Umar bin al-Khattâb (RAA) when he was with a group of camel-riders and 'Umar was swearing by his father, so Allâh's Messenger acalled them and said, "Verily, Allâh forbids you to swear by your fathers, so whoever has to take an oath, he must swear by Allâh or keep silent." Agreed upon.

١٤٠٢ ـــ وَفِـــي رِوَايَـــة لأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ -مَرْفُوعًا : «لاَ تَحْلِفُوا بِآبَائِكُمْ ، وَلاَ بِأُمَّهَاتِكُمْ ، وَلاَ بِالأَنْدَادِ ، وَلاَ تَحْلِفُوا بِاللَّهِ إِلاَّ وَأَنْتُمْ صَادِقُونَ».

1402. Abû Dawûd and An-Nasâ'î transmitted on the authority of Abû Hurairah (RAA) that the Messenger of Allâh said, "Do not swear by your fathers or by your mothers, or by rivals to Allâh; and swear not by Allâh except when you are speaking the truth."

١٤٠٣ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَمينُكَ عَلَى مَا يُصَدِّقُكَ به صَاحبُكَ».

1403. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Your oath should be about something regar-

ding which your opponent shall believe you."424 Related by Muslim.

1404. Muslim transmitted, "An oath is to be interpreted according to the intention of the claimant (whether the judge or the defendant's rival demanding an oath concerning a particular matter)."

١٤٠٥ ــ وَعَـــنْ عَبْدِالرَّحْمَنِ بْنِ سَمُرَةُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَإِذَا حَلَفْتَ عَلَى يَمِينِ ، فَرَأَيْتَ غَيْرَهَا خَيْرًا مِنْهَا ، فَكَفَّرْ عَنْ يَمِينَ ، فَرَأَيْتَ غَيْرَهَا خَيْرًا مِنْهَا ، فَكَفَّرْ عَنْ يَمِينَ ، وَاثْت الَّذي هُو خَيْرٌ». مُتَّفَقٌ عَلَيْه .

وَفِـــيَّ لَفْظ لِلْبُحَارِيُّ َ: «فَائْت الَّذي هُوَ خَيْرٌ ۖ وَكَفَّرْ عَنْ يَمِينكَ». وَفِي رِوَايَةٍ لأَبِي دَاوُدَ : «فَكَّفَرْ عَنْ يَمِينِكَ ثُمَّ ائْتِ الَّذِي هُوَ خَيْرٌ». وَإِسْنَادُهُمَا صَحِيحٌ .

1405. 'Abdur Rahmân bin Samurah (RAA) narrated that the Messenger of Allâh said, "If you take an oath to do something and later on find something else which is better than that one, make an expiation for (the dissolution of) your oath and then do what you find to be better." Agreed upon. In the version of Al-Bukhârî, "Do what you find to be better and make expiation for your oath."

١٤٠٦ - وَعَـــنْ ابْـــنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَـــالَ : إِنْ شَاءَ اللَّهُ ، فَلَا حِنْثَ عَلَيْهِ».
 رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حِبَّانٌ .

1406. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "If anyone says: 'If Allâh wills' when swearing an

<sup>424-</sup> This hadîth is relevant to the intention of the claimant (whether he is a judge or otherwise). The claimant asks the defendant to administer an oath on a certain matter, which he claims to be truthful about. So, in this case the defendant makes an oath with his intention being related to this particular matter, which his rival claimed that he is guilty of. This is supported by the following hadîth.

oath, he is not held responsible if he breaks it (i.e. he does not have to provide expiation for breaking it)." Related by Ahmad and the four Imâms. Ibn Hibbân graded it as <u>Sah</u>th.

١٤٠٧ \_ وَعَــنْهُ - رَضِـــيَ اللَّهُ عَنْهُ - قَالَ : «كَانَتْ يَمِينُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : لاَ ، وَمَقَلِّبُ الْقُلُوبِ». رَوَاهُ البُخَارِيُّ .

1407. Ibn 'Umar (RAA) narrated, 'When the Messenger of Allâh took an oath, he used to say, "No, by Him Who turns the hearts," (i.e. who controls the states of one's heart).' Related by Al-Bukhârî.

١٤٠٨ ــ وَعَــنْ عَــبْداللَّهِ بْنِ عَمْرُو - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : جَاءَ أَعْرَابِيُّ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : جَاءَ أَعْرَابِيُّ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَقَالَ : يَا رَسُولَ اللَّهِ ، مَا الْكَبَائِرِ ؟ - فَذَكَرَ الْحَدِيثَ ، وَفِيهِ : قُلْتُ : وَمَا الْيَمِينُ الْغَمُوسُ ؟ قَالَ : «الَّتِي يَقْتَطِعُ بِهَا مَالَ الْمُرِئِ مُسْلِمٍ هُوَ فِيهَا كَاذِبٌ». أَخْرَجَهُ مُسْلِمٌ .

1408. Abdullah Ibn 'Umar (RAA) narrated, 'A desert Arab came to the Messenger of Allah and said,'O Messenger of Allah! What are the most serious sins (the major sins)?' The narrator mentioned the hadith which says,"and the false oath.'425 I asked (i.e. Ibn 'Umar), 'What is the false oath?' The Messenger of Allah replied, "It is that by which one takes the property of another Muslim, and he is lying about it (intentionally)." Related by Muslim.

١٤٠٩ ــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - فِي قَوْلِهِ - تَعَالَى - : {لاَ يُؤَاخِذُكُمْ اللَّهِ». اللَّسهُ بِــاللَّغْوِ فِــيَ أَيْمَانِكُمْ} قَالَتْ : «هُوَ قَوْلُ الرَّجُلِ : لاَ وَاللَّهِ ، وَبَلَى وَاللَّهِ». أَخْرَجَهُ البُخَارِيُّ ، وَرَوَاهُ أَبُو دَاوُدَ مَرْفُوعًا .

1409. 'A'ishah (RAA) narrated regarding the verse, "Allah

<sup>425.</sup> The false oath is called in Arabic, Al-Yamîn al-Ghamûs (the engulfing oath), which indicates that it overwhelms the one who took it in sin or in the Hell Fire. It is one of the Major sins which includes disbelief in Allâh, killing, magic, adultery, treating parents badly and drinking alcoholic drinks or narcotics.

will not punish you for what is unintentional in your oaths" (5:89). 'It was revealed about such phrases as: 'No, by Allâh,' and 'Yes, by Allâh.' Related by Al-Bukhârî and Abû Dawûd.

١٤١٠ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَــلَّمَ : «إِنَّ لِلَّــهِ تَسْعَةً وَتَسْعِينَ اسْمًا ، مَنْ أَحْصَاهَا دَحَلَ الْجَنَّةَ». مُتَّفَقٌ عَلَيْهِ ،
 وَسَاقَ التَّرْمِذِيُّ ، وَابْنُ حِبَّانَ الأَسْمَاءَ ، وَالتَّحْقِيقُ أَنَّ سَرْدَهَا إِدْرَاجٌ مِنْ بَعْضِ الرُّواَةِ.

1410. Abû Hurairah (RAA) narrated that Allâh's Messenger said, "Allâh has ninety-nine names. 426 He who retains them in his memory 427 will enter Paradise." Agreed upon. At-Tirmidhî and Ibn Hibbân mentioned the ninety nine names, but it is the narrators who mentioned them and not the Prophet ...

١٤١١ ـــ وَعَـــنُ أَسَامَةَ بْنِ زَيْد - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ صُنعَ إِلَيْهِ مَعْرُوفَ فَقَالَ لِفَاعِلِهِ : جَزَاكَ اللَّهُ خَيْرًا فَقَدْ أَبْلَغَ فِي الثَّنَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1411. Usâmah bin Zaid (RAA) narrated that Allâh's Messenger said, "If one is done a favor and he expresses (his gratitude) to his benefactor by saying, 'May Allâh give you a good reward' (Jazâk Allâh Khairan) he has fully expressed his appreciation.' Related by At-Tirmidhî and Ibn Hibbân graded it as Sahîh.

١٤١٢ ـــ وَعَنْ ابْنِ عُمَرَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ نَهَى عَنِ النَّذْرِ ، وَقَالَ : «إِنَّهُ لاَ يَأْتِي بِخَيْرٍ ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبُخِيلِ». مُتَّفَقٌ عَلَيْهِ .

1412. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh 🎏

<sup>426.</sup> There are also other names which are attributed to Allah.

<sup>427-</sup> What is meant is not just memorizing them, but comprehending their meanings and implications, observing them in one's behavior and acting accordingly etc..

forbade making vows (Nadhr)<sup>428</sup> and said,"It will not bring (you) any good but it is only a means by which some of the wealth of the miserly is taken out." Agreed upon.

١٤١٣ ــ وَعَــنْ عُقْــبَةَ بْنِ عَامِرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّه عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ مَعْدِهِ وَسَلَّمَ : وَزَادَ التَّرْمِذِيُّ فِيهِ : «إِذَا لَمْ يُسْمِّهِ». وَصَحَّحَهُ . «إِذَا لَمْ يُسْمِّهِ». وَصَحَّحَهُ .

1413. 'Uqbah bin 'Âmir (RAA) narrated that the Messenger of Allâh said, "The expiation for a vow (Nadhr) is the same as for an oath." Related by Muslim. At-Tirmidhî has in his version, "If he did not specify it."

١٤١٤ ــ وَلأَبِــي دَاوُدَ مِــنْ حَديث ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - مَرْفُوعًا : «مَــنْ نَدَرَ نَذْرًا فِي مَعْصِية فَكَفَّارَتُهُ كَفَّارَتُهُ كَفَّارَتُهُ كَفَّارَةُ يَمِينٍ ، وَمَنْ نَذَرًا فِي مَعْصِية فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ ». وَإِسْنَادُهُ صَحِيحٌ ، إلا كَفَّارَةُ يَمِينٍ ». وَإِسْنَادُهُ صَحِيحٌ ، إلا أَنَّ الْحُفَّاظَ رَجَّحُوا وَقْفَهُ .

1414. Abû Dawûd transmitted on the authority of Ibn 'Abbâs (RAA), 'Allâh's Messenger said, "If anyone makes a vow but does not fulfill it, its expiation is the same as that for an oath; if anyone makes a vow to do an act of disobedience, its expiation is the same as that of an oath, if anyone makes a vow which he is unable to fulfill, its expiation is the same as that of an oath." Its chain of narrators is <u>Sahîh</u>, but the scholars of <u>hadîth</u> said that it is not connected to the Prophet but it is only the narration of Ibn 'Abbâs.

<sup>428-</sup> Making obligatory on oneself an act of worship which was not originally made obligatory by Allâh such as taking a vow to fast extra days or pray extra supererogatory prayers or pay charity when so and so happens (if any sick person recovers, if my absent comes back etc.).

٥١٤١ ـــ وِللْــبُخَارِيِّ مِــنْ حُدِيثِ عُائِشُةَ - رُضِيُ اللَّهُ عَنْهَا - : «وَمَنْ نَذَرَ أَنْ يَعْصَىَ اللَّهَ فَلاَّ يَعْصِه».

1415. Al-Bukhârî transmitted on the authority of 'Â'ishah (RAA), "If anyone vows to disobey Allâh, let him not disobey Him."

1416. Muslim transmitted on the authority of Imrân, that 'Allâh's Messenger ﷺ said, "A vow to do an act of disobedience must not be fulfilled."

١٤١٧ ـــ وَعَنْ عُقْبَةَ بْنِ عَامِرِ قَالَ : نَذَرَتْ أُخْتِي أَنْ تَمْشِي إِلَى بَيْتِ اللَّهِ حَافِيَةً ، فَأَمْرَتْنِي أَنْ ثَمْشِي إِلَى بَيْتِ اللَّهِ حَافِيَةً ، فَأَمْرَتْنِي أَنْ أُسْتَفْتَيْتُهُ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَأَسْتَفْتَيْتُهُ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، فَأَسْتَفْتَيْتُهُ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لِتَمْشِ وَلْتَرْكَبْ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1417. 'Uqbah Ibn 'Âmir (RAA) narrated, 'My sister made a vow to walk to the Ka bah for pilgrimage on foot, and she ordered me to consult the Prophet , so he consulted him and the Messenger of Allâh said, "Let her walk and ride." Agreed upon, and it is Muslim's version.

١٤١٨ ـــ وَلأَحْمَدَ ، وَالأَرْبَعَةُ : فَقَالَ : «إِنَّ اللَّهَ – تَعَالَى – لاَ يَصْنَعُ بِشَقَاءِ أُخْتِكَ شَيْئًا ، مُرْهَا فَلْتَخْتَمرْ ، وَلْتَرْكَبْ ، وَلْتَصُمْ ثَلاَئَةَ أَيَّام».

1418. Ahmad and the four Imâms also reported that he said , "Allâh, the Most High will not do anything with the afflictions your sister imposes on herself, command her to put on her <u>Hijâb<sup>429</sup></u> (scarf) and to ride, and to fast three days."

<sup>429-</sup> It is mentioned in another narration that she made a vow to walk to the Ka bah while taking her <u>hijāb</u> off, and that is why the Prophet B ordered her to wear her <u>hijāb</u> and to make expiation as this is an act of disobedience.

١٤١٩ ـــ وُعُـــنُ ابْـــنِ عُبِّاسٍ - رَضِيَ اللَّهُ عُنْهُمَا - قَالَ : اسْتَفْتَى سَعْدُ بْنُ عُبَادُةَ رَسُـــولَ اللَّــهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ تُوفِّيَتُ قَبْلَ أَنْ تَقْضِيَهُ ، فَقَالَ : «اقْضِهِ عَنْهَا». مُتَّفَقٌ عَلَيْهِ .

1419. Ibn 'Abbâs (RAA) narrated, 'Sa'd bin 'Ubâdah asked Allâh's Messenger ﷺ for a ruling regarding a vow made by his mother who had died before fulfilling it, and he replied ﷺ, "Fulfill it on her behalf." Agreed upon.

١٤٢٠ ــ وَعَــنْ ثَابِــت بْــنِ الضَّحَّاكِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : نَذَرَ رَجُلٌ عَلَى عَهْــدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَنْحَرَ إِبْلاً بِبَوَانَةَ ، فَأَتَى رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ أَنْ يَنْحَرَ إِبْلاً بِبَوَانَةَ ، فَأَتَى رَسُولَ اللَّهِ صَلَّى اللَّهِ عَلَيهِ وَسَلَّمَ فَسَأَلَهُ ، فَقَالَ : «هَلْ كَانَ فِيهَا وَثَنْ يُعَبْدُ ؟» قَالَ : لا . قُالُ : لا . قَالَ : لا . قُالُ : لا . قَالَ : لا . قُالُ نَالَ اللهُ عَلَ اللهُ الل

1420. Thâbit bin ad-Dahhâk (RAA) narrated, 'During the lifetime of the Prophet a man made a vow to slaughter camels at Bawânah and he came to Allâh's Messenger and asked him. Allâh's Messenger asked, "Were there any idols worshipped at that place (in the time of Jâhiliyah)?" He said, 'No.' The Messenger of Allâh asked again, "Was any Jâhiliyah festival celebrated there?" He replied, 'No.' The Messenger of Allâh then said to the man, "Fulfill your vow, for there is no fulfillment of a vow to do an act of disobedience to Allâh, neither to break the ties of kinship, nor to do something which a human being does not possess (or has no control over)." Related by Abû Dawûd and At-Tabarânî and it is his version; it is narrated with a sound chain of narrators.

١٤٢١ ـــ وَلَهُ شَاهِدٌ مِنْ حَدِيثٍ كَرْدَمَ عِنْدَ أَحْمَدَ .

1421. There is a similar narration on the authority of Kardam transmitted by Ahmad. 1 ٤ ٢٢ ـ وَعَــنْ حَابِــر - رَضِــيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَجُلاً قَالَ يَوْمُ الْفَتْح : يَا رَسُولَ اللَّه ، إِنِّي نَذَرْتُ إِنَّ فَتَحَ اللَّهُ عَلَيْكَ مَكَّةَ أَنْ أُصَلِّيَ فِي بَيْتِ الْمَقْدسِ . فَقَالَ : «صَـلٌ هَا هُنَا» فَسَأَلَهُ ، فَقَالَ : «فَشَأْنَكَ إِذًا». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1422. Jâbir (RAA) narrated, 'A man said on the Day of the Conquest of Makkah, "O Messenger of Allâh, I vowed that if Allâh opens Makkah for you, I shall pray in Jerusalem." The Messenger of Allâh replied, "Pray here." He asked him again and the Prophet again replied, "Pray here." The man asked the third time, and the Messenger of Allâh then said to him, "It is up to you then." Related by Ahmad and Abû Dawûd and Al-Hâkim graded it as Sahîh.

١٤٢٣ ـــ وَعَـــنْ أَبِي سَعِيدِ الْخُدْرِيِّ – رَضِيَ اللَّهُ تَعَالَى عَنْهُ – عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تُشْدَدُّ الرِّحَالُ إِلاَّ إِلَى ثَلاَّنَةٍ مَسَاحِدَ : مَسْجِدِ الْحَرَامِ ، وَمَسْجِدِ الأَقْصَى ، وَمَسْجِدي هَذَا». مُتَّفَقٌ عَلَيْه ، وَاللَّفْظُ لِلْبُخَارِيِّ .

1423. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger of Allâh said, "No (religious) journey is to be undertaken except for prayer in one of the three mosques: Al-Masjid Al-Harâm (The Sacred Mosque in Makkah), the Aqsâ Mosque (in Jerusalem), and this Mosque of mine (in al-Madînah)." Agreed upon and it is Al-Bukhârî's version.

١٤٢٤ ـــ وَعَـــنْ عُمَـــرَ قَالَ : قُلْتُ : يَا رَسُولَ اللَّهِ ، إِنِّي نَذَرْتُ فِي الْجَاهِلِيَّةِ أَنْ أَعْتَكِفَ لَيْلَةً فِي الْمَسْجِدِ الْحَرَامِ. قَالَ : «أَوْفِ بِنَذْرِكَ». مُثَّفَقٌ عَلَيْهِ ، وَزَادَ البُخَارِيُّ فِي رِوَايَةِ : «فَاعْتَكَفَ لَيْلَةً».

1424. 'Umar (RAA) narrated, 'I said: O Messenger of Allâh! I made a vow at the time of Jâhiliyah to perform I'tikâf 430 for one

<sup>430-</sup> I'tikâf means remaining in a mosque (preferably a congregational mosque) for a certain period of time with the intention of remaining in seclusion from worldly matters, and keeping oneself busy with acts of worship such as praying, fasting, reciting Qur'ân, dhikr etc.

night at the Sacred Mosque (in Makkah)' The Messenger of Allâh said to him, "Fulfill your vow." Agreed upon. Al-Bukhârî in his version had the addition, 'He ('Umar) spent a night in *I'tikâf* at the Sacred Mosque in Makkah.'

### كتساب الْقَضَاء

# Book XIV: Judgments Chapter I

1870 — عَنْ بُرَيْدَةً — رَضِيَ اللَّهُ تَعَالَى عَنْهُ — قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَــلَّمَ : «الْقُضَــاةُ ثَلاَئَةٌ : اثْنَانِ فِي النَّارِ ، وَوَاحِدٌ فِي الْجَنَّةِ ، رَجُلٌ عَرَفَ الْحَقُّ
فَقَضَى يهِ فَهُوَ فِي الْجَنَّةِ ، وَرَجُلٌ عَرَفَ الْحَقَّ فَلَمْ يَقْضِ به ، وَجَارَ فِي الْحُكْمِ فَهُوَ
فِي النَّارِ».
فِـــي السَّنَارِ ، وَرَجُـــلَّ لَــمْ يَعْرِفِ الْحَقَّ فَقَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ».
رُوَاهُ الأَوْبَعَةُ ، وَصَحَّحَةُ الْحَاكِمُ .

38 said, "Judges are of three types: two of whom will go to Hell and one to Paradise. The one who will go to Paradise is the judge who knew what is right and gives judgment accordingly; but a judge who knows what is right and does not give judgment accordingly; and acts unjustly in his judgment will go to Hell, and a judge who does not know what is right and judges people while ignorant (of the case) will go to Hell."Related by the four Imâms and Al-Hâkim graded it as <u>Sahîh</u>.

١٤٢٦ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ وُلِّيَ الْقَضَاءَ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ». رَوَاهُ أَحَمْدُ ، وَالأَرْبَعَةُ ، وَاللَّرْبَعَةُ ، وَاللَّرْبَعَةُ ، وَابْنُ حَبَّانَ .

1426. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "He who has been appointed a judge has been slaughtered without a knife." Related by Ahmad and the four Imâms. Ibn Khuzaimah and Ibn Hibbân graded it as Sahîh.

١٤٢٧ ــ وَعَــنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «إِنَّكُـــمْ سَتَحْرِصُونَ عَلَى الإِمَارَةِ ، وَسَتَكُونُ نَدَامَةَ يَوْمِ الْقِيَامَةِ ، فَنِعْمَتِ الْمُرْضِعَةُ ، وَبِعْسَتِ الْفَاطِمَةُ». رَوَاهُ البُخَارِيُّ .

1427. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "You will be eager for the office of ruling, but it will become a cause of regret on the Day of Judgment It is a good suckler but an evil weaner." 481 Related by Al-Bukhârî.

١٤٢٨ ـــ وَعَنْ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَلَّمَ يَقُولُ : «إِذَا حَكَمَ الْحَاكِمُ فَاحِنْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَحْرَانِ ، وَإِذَا حَكَمَ فَاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ». مُتَّفَقٌ عَلَيْهِ .

1428. 'Amro bin al-'Âs (RAA) narrated that he heard the Messenger of Allâh say, "When a judge gives a ruling having tried his best to decide correctly and his verdict is right, he will have a double reward; and when he gives a ruling having tried his best to decide correctly and his verdict is wrong, he will have a single reward." Agreed upon.

١٤٢٩ ـــ وَعَنْ أَبِي بَكَرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ يَقُولُ : «لاَ يَحْكُمُ أَحَدٌ بَيْنَ انْنَيْنِ وَهُوَ غُضْبَانُ». مُثَّفَقٌ عَلَيْه .

1429. Abî Bakrah (RAA) narrated, 'I heard the Messenger of Allâh say, "No judge may make a judgment between two people when he is angry." Agreed upon.

١٤٣٠ \_ وَعَـــنْ عَلِـــيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «إِذَا تَقَاضَـــى إِلَيْكَ رَجُلاَنِ فَلاَ تَقْضِ لِلأَوَّلِ حَتَّى تَسْمَعَ كَلاَمَ الآخرِ ،

<sup>431-</sup> It will be a source of pleasure and power in this world, but as it is a great responsibility, it will be a source of grief and regret on the Day of Resurrection.

فَسَـــوْفَ تَــــدْرِي كَيْفَ تُقْضِي». قَالَ عَلِيٌّ : فَمَا زِلْتُ قَاضِيًّا بَعْدُ . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالتَّرْمِذِيُّ ، وَحَسَّنَهُ ، وَقَوَّاهُ ايْنُ الْمَدِينِي ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1430. 'Alî (RAA) narrated that the Messenger of Allâh said, "When two men present a case before you, do not decide in favor of the first till you hear what the other has to say. Then you will know how to judge." 'Alî said, 'Thereafter, I judged according to that.' Related by Ahmad, Abû Dawûd and AtTirmidhî who graded it as <u>Hasan</u>. Ibn <u>Hibbân graded it as Sahîh</u>.

١٤٣١ ـــ وَلَهُ شَاهِدٌ عِنْدَ الْحَاكِمِ مِنْ حَدِيثِ ابْنِ عَبَّاسِ .

1431. Al-<u>H</u>âkim transmitted a similar <u>h</u>adîth on the authority of Ibn 'Abbâs.

١٤٣٢ — وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهَا مَوْكُ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ عَلَـــيْهِ وَسَــلَّمَ : «إِنَّكُمْ تَحْتَصِمَونَ إِلَيَّ ، فَلَعَلُ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضَ ، فَأَقْضِي لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ ، فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَحِيهِ شَيْئًا فَإِنَّمَا أَقْطَعُ لَهُ مِنْ حَقِّ أَحِيهِ شَيْئًا فَإِنَّمَا أَقْطَعُ لُهُ فِي النَّارِ». مُتَّفَقٌ عَلَيْهِ .

1432. Umm Salamah narrated that the Messenger of Allâh said, "You bring your disputes to me, and perhaps some of you are more eloquent in their plea than others, in which case I will give a judgment based on what I heard from him. Therefore, whatever I rule for anyone, which by right belongs to his brother, I am only giving him a portion of Hell." Agreed upon.

١٤٣٣ ــ وَعَــنْ جَابِــرِ قَالَ : سَمِعْتُ رَسُولَ اللّهِ صَلَّى اللّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «كَيْفَ تُقَدَّسُ أُمَّةٌ لاَ يُؤْخَذُ مِنْ شَديدَهُمْ لَضَعيفهمْ ؟». رَوَاهُ ابْنُ حَبَّانَ .

1433. Jâbir (RAA) narrated, 'I heard the Messenger of Allâh say, "How can an *Ummah* (a nation) be purified (of its sins) when the right of its weak is not taken from its strong (the powerful)?" Related by Ibn <u>Hibbân</u>.

١٤٣٥، ١٤٣٥ ــ وَلَــهُ شَاهِدٌ مِنْ حَدِيثِ بُرَيْدَةَ ، عَنْدَ الْبَزَّارِ . وَآخِرُ مِنْ حَدِيثِ أَبِي سَعِيدِ عِنْدَ ابْنِ مَاجَةً .

1434, 1435. Al-Bazzâr narrated a similar <u>h</u>adîth on the authority of Buraidah, and Ibn Mâjah on the authority of Abû Sa´îd.

١٤٣٦ ـــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : سَمِعْتُ رَسُولَ الله صَلَّى اللَّهُ عَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «يُدْعَى بِالْقَاضِي الْعَادِلِ يَوْمَ الْقَيَامَةِ ، فَيَلْقَى مِنْ شِدَّةِ الْحِسَابِ عَلَـــيْهِ وَسَلَّمَ يَقُولُ : «يُدْعَى بِالْقَاضِي الْعَادِلِ يَوْمَ الْقَيَامَةِ ، فَيَلْقَى مِنْ شِدَّةِ الْحِسَابِ مَــا يَتَمَنَّى أَنَّهُ لَمْ يَقُضِ بَيْنَ الْنَيْنِ فِي عُمْرِهِ». رَوَاهُ ابْنُ حِبَّانَ ، وَأَخْرَجَهُ الْبَيْهَقِيُّ ، وَلَفْظُهُ : «فِي تَمْرَةِ».

1436. 'Â'ishah (RAA) narrated, I heard the Messenger of Allâh say, "On the Day of Resurrection the just judge will be called (to be asked about his judgments). His questioning will be so hard that he will wish he had never given judgment even between two men throughout his life." Related by Ibn Hibbân and Al-Baihaqî. The version of the latter has, "...between two men about a single event."

١٤٣٧ ـــ وَعَنْ أَبِي بَكَرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لَنْ يُفْلَحَ قَوْمٌ وَلُوْا أَمْرَهُمُ امْرَأَةً». رَوَاهُ البُخَارِيُّ .

1437. Abû Bakrah (RAA) narrated that the Messenger of Allâh said, "The nation that appoints a woman as their ruler will never prosper." Related by Al-Bukhârî.

١٤٣٨ ــ وَعَـــنْ أَبِــي مَـــرْيَمَ الإِزَدِيِّ - رَضِــيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : « مَنْ وَلاَهُ اللَّهُ شَيْئًا مِنْ أُمُورِ الْمُسْلِمِينَ فَاحْتَجَبَ عَنْ حَاجَتِهِمْ ،

<sup>432-</sup> The Messenger of Allâh said these words when the Persians enthroned Khosrau's daughter and made her their Empress. There is a difference of opinion among the scholars whether a woman could be appointed as a judge in court, but the majority are of the opinion that she is not to be appointed a judge in criminal courts where murders and similar trials are conducted.

وَفَقِيرِهِمْ ، احْتَجَبَ اللَّهُ دُونَ حَاجَتِهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالنِّرْمِذِيُّ .

1438. Abû Mariam al-Azdî (RAA) narrated that the Messenger of Allâh said, "If anyone is appointed by Allâh to be in a position of authority over any of the matters concerning the Muslims, but then turns away from attending to their needs and poverty, Allâh will turn away from dealing with his needs." Related by Abû Dawûd and At-Tirmidhî.

١٤٣٩ — وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ الرَّاشِـــي وَالْمُرْتَشِيَ فِي الْحُكْمِ». رَوَاهُ أَحَمْدُ ، وَالأَرْبَعَةُ ، وَحَسَّنَهُ التِّرْمِذِيُّ ، وَصَحَّحَهُ أَبْنُ حِبَّانَ .

1439. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh cursed the one who gives a bribe and the one who takes a bribe to pass judgments.' Related by Ahmad and the four Imâms. At-Tirmidhî graded it as <u>Hasan</u> and Ibn <u>Hibbân</u> graded it as <u>Sahîh</u>.

1440. The four Imâms except An-Nasâ'î related a similar hadîth on the authority of 'Abdullâh Ibn 'Amro.

١٤٤١ ـــ وَعَنْ عَبْدَاللَّهِ بْنِ الزُّبَيْرِ قَالَ : «قَضَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ الْخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَي الْحَاكِمِ». رَوَاهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ الْحَاكِمُ .

1441. 'Abdullâh bin Az-Zubair (RAA) narrated, 'The Messenger of Allâh ﷺ ruled that the two adversaries should sit (equally) in front of the judge.' Related by Abû Dawûd and Al-<u>H</u>âkim graded it as <u>Sahîh</u>.

### بَابُ الشِّهَادَاتِ

#### Chapter II: Witnessing and Testimonies

١٤٤٢ — عَـــنْ زَيْـــدِ بْنُ حَالِدِ الْجُهَنِيِّ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «أَلاَ أُخْبِرُكُمْ بِخَيْرِ الشُّهَدَاءِ؟ هُوَ الَّذِيُ يَأْتِي بِالشِّهَادَةِ قَبْلَ أَنْ يُسْأَلَهَا». رَوَاهُ مُسْلِمٌ . 1442. Zaid bin Khâlid Al-Juhanî (RAA) narrated that the Messenger of Allâh said, "Shall I tell you about the best witness? He is the one who comes forward to give testimony before he is asked for it."433 Related by Muslim.

١٤٤٣ ــ وَعَنْ عِمْرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى عَلَى عَلَى عَلَى اللَّهِ عَلَى عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهُ اللَّهُ عَلَى اللَّهُ عَلَيْهِ . وَيَطْهَرُ فِيهِمُ السَّمْنُ». مُتَّفَقٌ عَلَيْهِ .

1443. Imrân bin Husain (RAA) narrated that the Messenger of Allâh said, "The best among you are my generation, then their immediate followers, then their immediate followers. After them there will be people who will give (false) testimony without being asked, who will be treacherous and are not to be trusted, who will make vows which they do not fulfill, among whom obesity will appear." Agreed upon.

١٤٤٤ ـــ وَعَنْ عَبْدَاللَّهِ بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّــهُ عَلَيْهِ وَسَلَّمَ : ﴿لاَ تَحُوزُ شَهَادَةُ خَائِنٍ ، وَلاَ خَائِنَة ، وَلاَ ذِي غَمَرِ عَلَى أُخِيهِ ، وَلاَ تَحُوزُ شَهَادَةُ الْقَانِعِ لأَهْلِ الْبَيْتِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ .

1444. Abdullâh Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "It is not allowable to accept the testimony of a treacherous man or a woman, or of one who harbors a grudge against his brother, or the servant of a family (to testify) for members of this family." Related by Ahmad and Abû Dawûd.

١٤٤٥ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «لاَ تَحُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ». رَوَاهُ أَبُو دَاوُدَ ، وَابْنُ مَاجَةْ .

<sup>433-</sup> They are the ones who say their testimony for the sake of Allâh, so that justice could be established.

1445. Abû Hurairah (RAA) narrated, 'He heard the Messenger of Allâh ﷺ say, "The testimony of a desert man against the dweller of a village (or a town) is not allowed." Related by Abû Dawûd and Ibn Mâjah.

١٤٤٦ — وَعَـــنْ عُمَـــرَ بْنِ الْحَطَّابِ أَنَّهُ خَطَبَ فَقَالَ : «إِنَّ أُنَاسًا كَانُوا يُؤْخَذُونَ بِـــالْوَحْيِ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَإِنَّ الْوَحْيَ قَدْ الْقَطَعَ ، وَإِنَّمَا نَأْخُذُكُمُ الآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ». رَوَاهُ البُخَارِيُّ .

1446. 'Umar Ibn Al-Khattab (RAA) addressed the people saying, 'People were sometimes judged by the revelation of a Divine Inspiration during the lifetime of the Prophet , but now there is no longer any more (new revelations). Now you will be judged by what appears to us of your deeds.' Related by Al-Bukharî.

١٤٤٧ ـــ وَعَنْ أَبِي بَكَرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَنَّهُ عَدَّ شَهَادَةَ الزُّورِ فِي أَكْبَرِ الْكَبَائِرِ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

1447. Abû Bakrah (RAA) narrated that the Messenger of Allâh said that bearing false testimony is among the most serious of the major sins.' Agreed upon. (Part of a long <u>Hadîth</u>).

١٤٤٨ ــ وَعَـــنُ ابْـــنِ عَبَّاسِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ قَالَ لِرَجُلٍ : «تَرَى الشَّمْسَ ؟» قَالَ : نَعَمْ . قَالَ : «عَلَى مِثْلِهَا فَاشْهَدْ ، أَوْ دَعْ». أَخْرَجَهُ ابْنُ عَدِيٍّ بِإِسْنَادِ ضَعِيفٍ ، وَصَحَّحَهُ الْحَاكِمُ فَأَخْطَأَ .

1448. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ said to a man, "Do you see the sun?" He replied, 'Yes.' The Prophet ﷺ said, "Bear your testimony in a case as clear as the

<sup>434-</sup> The reason is that the nomads are not familiar with the circumstances of the village and city dwellers, so they are not allowed to testify against them. In this case the testimony of another city dweller is more acceptable. Nevertheless if the nomad is more informed about the relevant case, than anybody else, then his testimony is acceptable provided he is just.

sun (for you), or leave it."435 Related by Ibn 'Adî with a weak chain of narrators.

1449. Ibn 'Abbâs (RAA) narrated, 'The Messenger of Allâh ﷺ made a judgment on the basis of an oath and a single witness.' Related by Muslim, Abû Dawûd and An-Nasâ'î.

1450. Abû Hurairah (RAA) narrated a similar <u>h</u>adîth which was transmitted by Abû Dawûd and At-Tirmidhî. Ibn <u>H</u>ibbân graded it as <u>Sahîh</u>.

### بَابُ الدَّعَاوَى وَالْبَيِّنَات

#### Chapter III: Claims and Evidence

١٤٥١ ــ عَـــنِ ابْـــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «لَوْ يُعْطَى النَّاسُ بِدَعْوَاهُمْ لاَدَّعَى نَاسٌ دِمَاءَ رِحَالٍ وَأَمْوَالَهُمْ ، وَلَكِنِ الْيَمِينُ عَلَى الْمُدَّعَى عَلَيْه». مُتَّفَقٌ عَلَيْه .

1451. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "If people were given what they asked for when they brought a case forward, some would claim the lives and property of others, but an oath must be taken by the defendants." Agreed upon.

<sup>435-</sup> This means that either the person giving his testimony is absolutely certain about the case or he should abstain from producing his testimony.

"But the proof lies with the claimant and the oath must be taken by him who denies the claim."

١٤٥٣ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ عَرَضَ عَلَى قَوْمٍ الْيَمِينَ ، فَأَسْرَعُوا ، فَأَمَرَ أَنْ يُسْهَمَ بَيْنَهُمْ فِي الْيَمِينِ : أَيُّهُمْ يَحْلِفُ». رَوَاهُ البُخَارِيُّ .

1453. Abû Hurairah (RAA) narrated, 'The Messenger of Allâh suggested to some people that they should swear an oath and when they hastened to do so he ordered that lots should be cast among them concerning the oath as to who should swear it.' Related by Al-Bukhârî.

١٤٥٤ ــ وَعَنْ أَبِي أُمَامَةُ الْحَارِئِيِّ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنِ اقْتَطَعَ حَقَّ امْرِئَ مُسْلَمٍ بِيَمِينِهِ فَقَدْ أُوْجَبَ اللَّهُ لَهُ النَّارَ ، وَجَلَّ : وَإِنْ كَانَ شَيْئًا يَسِيرًا يَا رَسُولَ اللَّهِ ؟ قَالَ : «وَإِنْ كَانَ شَيْئًا يَسِيرًا يَا رَسُولَ اللَّهِ ؟ قَالَ : «وَإِنْ كَانَ شَيْئًا يَسِيرًا يَا رَسُولَ اللَّهِ ؟ قَالَ : «وَإِنْ كَانَ شَيْئًا يَسِيرًا يَا رَسُولَ اللَّهِ ؟ قَالَ : «وَإِنْ كَانَ قَضِيبًا مِنْ أَرَاكٍ». رَوَاهُ مُسْلِمٌ .

1454. Abû Umâmah Al-Hârithî (RAA) narrated that the Messenger of Allâh ﷺ said, "If anyone through his oath, cuts down what rightly belongs to a Muslim, Allâh has made Hell compulsory for him and will deprive him of Paradise." A man asked, "O Allâh's Messenger, even if it is something small?" And he replies, "Even If it were a stick from an Arâk tree." Related by Muslim.

١٤٥٥ ـــ وَعَـــنْ الأَشْعَتْ بْنِ قَيْسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَلَفَ عَلَى يَمِينِ يَقْتَطِعُ بِهَا مَالَ امْرِئٍ مُسْلِمٍ هُوَ فِيهَا فَاحِرٌ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ .

1455. Al-Ash'ath bin Qais(RAA) narrated that the Messenger of Allâh said, "If anyone swears a firm oath, and takes what is due to it; the property belonging to a Muslim, Allâh will be angry with him when he meets Him (on the Day of Resurrection)." Agreed upon.

١٤٥٦ ـــ وَعَـــنْ أَبِي مُوسَى - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - : «أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي دَابَّـــة ، وَلَيْسَ لِوَاحِد مِنْهُمْ بَيِّنَةٌ ، فَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَهُمَا نِصْفَيْنِ» . رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَهَذَا لَفْظُهُ ، وَقَالَ : إِسْنَادُهُ جَيِّدٌ .

1456. Abû Mûsâ (RAA) narrated, 'Two men had a dispute over an animal, but none of them had any proof. So Allâh's Messenger gave a ruling that it be divided in halves between them.' Related by Ahmad, Abû Dawûd and An-Nasâ'î and the version is his, and he reported its chain of narrators to be good.

١٤٥٧ ـــ وَعَـــنْ حَابِـــرٍ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «مَنْ حَلَفَ عَلَى مِنْبِرِي هَذَا بِيَمِينِ آثِمَة تَبَوَّأَ مَقْعَدَهُ مِنَ النَّارِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَالنَّسَائِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1457. Jâbir (RAA) narrated that the Messenger of Allâh ﷺ said, "If any one swears a false oath on this pulpit of mine, he would have prepared his seat in Hell." Related by Ahmad, Abû Dawûd and An-Nasâ'î. Ibn Hibbân graded it as <u>Sahîh</u>.

١٤٥٨ ـ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «ثَلَاثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقَيَامَةِ ، وَلاَ يَنْظُرُ إِلَيْهِمْ ، وَلاَ يُزَكِّيهِمْ، وَلاَ يُنْظُرُ إِلَيْهِمْ ، وَلاَ يُزَكِّيهِمْ، وَلاَ يُزَكِيهِمْ، وَلاَ يَنْظُرُ اللَّهِمْ عَذَابٌ أَلِيمٌ : رَجُلٌ عَلَى فَصْلِ مَاءِ بِالْفَلاَةِ يَمْنَعُهُ مِنِ ابْنِ السَّبِيلِ ، وَرَجُلٌ بَايَعَ رَجُلٌ بَايَعَ رَجُلاً بِسَلْعَة بَعْدَ الْعَصْرِ فَحَلَفَ لَهُ بِاللَّهِ : لأَخَذَهَا بِكَذَا وَكَذَا ، فَصَدَّقَهُ ، وَهُو عَلَى غَــيْرِ ذَلِكَ ، وَرَجُلٌ بَايَعَ إِمَامًا لاَ يَبَايِعُهُ إِلاَ لِلدُّنْيَا ، فَإِنْ أَعْطَاهُ مِنْهَا وَفَى ، وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ». مُتَّفَقٌ عَلَيْهِ .

1458. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "There are three to whom Allâh will not speak on the Day of Judgment, at whom He will not look, and whom He will not purify, and they will have a painful punishment: A man at a place with excess water in the desert and he withholds it from travelers; a man who sold a com-

modity to another person in the afternoon(or after the 'Asr prayer) and swore to him by Allâh that he had bought it at such and such a price and he (the buyer) believed him yet that was not the case, and a man who pledged allegiance to the Imâm but for the sake of worldly matters (i.e. not for Allâh's sake), if the Imâm bestowed on him something out of worldly riches he adheres to his allegiance, and if he did not give him anything, he did not fulfill the allegiance." Agreed upon.

١٤٥٩ \_ وَعَــنْ جَابِرِ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - ؛ أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي نَاقَةً ، فَقَالَ كُلُّ وَاحِد مِنْهُمَا : ُتُتِجَتْ هَذِهِ النَّاقَةُ عِنْدِي ، وَأَقَامَا بَيِّنَةً ، فَقَضَى بِهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِمَنْ هِيَ فِي يَدِهِ .

1459. Jâbir (RAA) narrated, 'Two men disputed about a shecamel and each of them produced some proof that it was his animal, and that it was born at his place.' Allâh's Messenger \$\mathbe{\pi}\$ ruled it for the one who had it in his possession.' Related by Ad-Dâraqutnî with a weak chain of narrators.

١٤٦٠ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - «أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ رَدَّ الْيَمِينَ عَلَى طَالِبِ الْحَقِّ». رَوَاهُمَا الدَّارَقُطْنِيُّ ، وَقِي إِسْنَادِهِما ضَعْفٌ .

1460. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh \*\*
restored the oath to be sworn by the claimant (and not the defendant).' Related by Ad-Dâraqutnî with a weak chain of narrators.

1 £ 7 س وَعَسنْ عَائِشَسةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : دَخَلَ عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَنْهَا مَا فَقَالَ : دَخَلَ عَلَيَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ يَوْمٍ مَسْرُورًا تَبْرُقُ أَسَارِيرُ وَجْهِهِ ، فَقَالَ : «أَلَمْ تَرَي إِلَى مُحَزِّزِ الْمُدَالِحِسيِّ ؟ نَظَرَ آنِفًا إِلَى زَيْدِ بْنِ حَارِثَةَ ، وَأُسَامَةَ بْنِ زَيْدٍ ، فَقَالَ : «هَذِهِ الأَفْدَامُ بَعْضُهَا مِنْ بَعْضٍ». مُتَّفَقٌ عَلَيْهِ .

1461. 'Â'ishah (RAA) narrated, 'One day, Allâh's Messenger ﷺ came to me looking happy while his face was glistening and said,

"Did you not see that Mujazziz Al-Mudlijî (a physiognomist) He looked at Zaid bin <u>H</u>ârithah and Usâmah bin Zaid, and then said, "These feet are related to one another." Agreed upon.

<sup>436-</sup> Zaid bin <u>H</u>ârithah the freed slave of the Prophet <u>R</u> had a white complexion whereas Usâmah his son was rather dark.. Usâmah's mother Umm Aiman was also dark, but people started to talk about Usâmah's lineage because he was dark while his father was white. Mujazziz Al-Mudlijî saw them lying down with their faces covered with linen, while their feet were bare. He then commented upon looking at their feet with the words mentioned in the hadîth which pleased the Prophet <u>R</u>.

## كِستَسابُ الْسعِسْسَقِ

#### **Book XV: Emancipation**

#### Chapter I

١٤٦٢ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «أَيُّمَا امْرِئِ مُسْلِمٍ أَعْتَقَ امْرَأً مُسْلِمًا اسْتَنْقَذَ اللَّهُ بِكُلِّ عُضْوٍ مِنْهُ عُضْوًا مِنْهُ مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ .

1462. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Any Muslim, who emancipates another Muslim man, Allâh will set free from Hell Fire an organ of his body, for every organ of the other's (i.e. from the body of the emancipated person)." Agreed upon.

١٤٦٣ ــ وَلِلــتَرْمِذِيِّ ، وَصَــحَّحَهُ ، عَنْ أَبِي أَمَامَةَ - رَضِيَ اللَّهُ عَنْهُ - : «وَأَيُّمَا المُرئِ مُسْلِم أَعْتَقَ المُرَأَتَيْنِ مُسْلِمَتَيْنِ كَانَتَا فِكَاكَهُ مِنَ النَّارِ».

1463. At-Tirmidhî transmitted on the authority of Abû Umâmah (RAA), "The Messenger of Allâh said, "Any Muslim man, who emancipates two Muslim women, they will be his release from Hell Fire." At-Tirmidhî graded it as <u>Sah</u>îh.

١٤٦٤ ــ وَلأَبِسِي دَاوُدَ مِنْ حَديثِ كَعْبِ بْنِ مُرَّةَ - رَضِيَ اللَّهُ عَنْهُ - وَأَيُّمَا امْرَأَةً مُسْلِمَةً أَعْتَقَتْ امْرَأَةً مُسْلِمَةً كَانَتُ فَكَاكَهَا مِنَ النَّارِ».

1464. Abû Dawûd transmitted on the authority of Ka'b bin Murrah (RAA), "The Messenger of Allâh said, "Any Muslim woman, who emancipates another Muslim woman, she will be her release from Hell Fire."

١٤٦٥ \_ وَعَــنْ أَبِــي ذُرِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : أَيُّ الْعَمَلِ أَفْضَلُ ؟ قَالَ : «إِيمَانٌ بِاللَّهِ ، وَجهَادٌ فِي سَبِيلِهِ». قُلْتُ : فَأَيُّ الرِّقَابِ أَفْضَلُ ؟ قَالَ : «أَغْلاَهَا ثَمَنًا وَأَنْفَسُهَا عِنْدَ أَهْلِهَا». مُتَّفَقٌ عَلَيْهِ .

1465. Abû Dharr (RAA) narrated, I asked the Messenger of Allâh i 'Which action is the most excellent?' He replied, "Faith in Allâh and Jihâd in His Cause." I then asked, 'Which slaves are the most excellent (for the purpose of emancipating them) and he replied, "Those whose prices are the highest and are the most valuable to their owners." Agreed upon.

١٤٦٦ — وَعَـــنُ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلْهُمَا يَلُكُ فَالَّ يَبْلُخُ ثَمَنَ الْعَبْدَ قُومً قِيمَةَ عَلَــيْهِ وَسَلَّمَ : «مَنْ أَعْتَقَ شِرْكًا لَهُ فِي عَبْد ، فَكَانَ لَهُ مَالٌ يَبْلُخُ ثَمَنَ الْعَبْدَ قُومً قِيمَةَ عَدْل ، فَأَعْطَى شُرَكَاءَهُ حِصَصَهُمْ ، وَعَتَقَ عَلَيْهِ الْعَبْدَ ، وَإِلاَّ فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَى». مُتَّفَقٌ عَلَيْهِ .

1466. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Anyone who emancipates his share in a slave and has enough money to pay the full price for him, a fair price for the slave should be fixed. His partners should be given their shares, and the slave should thus be emancipated. Otherwise he is emancipated only to the extent of the first man's share." Agreed upon.

١٤٦٧ ـــ وَلَهُمَــا عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - : «وَإِلاَّ قُوِّمَ عَلَيْهِ وَاسْتُسْعِيَ غَيْرَ مَشْقُوقِ عَلَيْهِ» ، وَقِيَلَ : إِنَّ السِّعَايَةَ مُدْرَجَةٌ فِي الْخَبَرِ .

1467. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Otherwise he will be required to work to pay for his freedom, but he must not be overburdened." Agreed upon.

١٤٦٨ ــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَخْزِي وَلَدٌّ وَالِدَهُ إِلاَّ أَنْ يَجِدَهُ مَمْلُوكًا فَيَشْتَرِيَهُ فَيَعْتِقَهُ». رَوَاهُ مُسْلِمٌ .

1468. Abû Hurairah (RAA), narrated that the Messenger of

Allâh ﷺ said, "A son cannot ever repay his parents what he owes them,437 unless he finds them in slavery, then buys them and emancipates them." Related by Muslim.

١٤٦٩ ـــ وَعَــنْ سَــمُرَةَ بْنِ جُنْدَبِ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ قَــالَ : «مَــنْ مَلَــكَ ذَا رَحِمٍ مَحْرَمٍ فَهُوَ حُرُّ». رَوَاهُ أَحْمَدُ ، وَالأَرْبَعَةُ ، وَرَجَّحَ جَمْعٌ مِنَ الْحُفَّاظِ أَنَّهُ مَوْقُوفٌ .

1469. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh said, "Whoever obtains possession of a relative, who is next of kin, that person becomes free." Related by Ahmad and the four Imâms. Some scholars are of the opinion that it is Mawqûf (not connected to the Prophet ).

١٤٧٠ ـــ وَعَـــنْ عِمْــرَانَ بْنِ حُصَيْنِ - رَضِيَ اللَّهُ عَنْهُ - : «أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ مَمَالِـــيكَ لَهُ ، فَدَعَا بِهِمْ رَسُولُ اللَّهِ صَلَّى اللَّهُ مَمَالِـــيكَ لَهُ ، فَدَعَا بِهِمْ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَى اللّهُ اللّهُ عَلْمُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلْمُ اللّهُ عَلْمُ اللّهُ عَلْمُ اللّهُ عَلْمُ اللّهُ عَلْمُ اللّهُ عَلْمُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَمْ اللّهُ عَلَمْ عَلَا عَلْمُ اللّهُ عَلَى اللّهُ عَلَمْ عَلَمْ اللّهُ عَلْمُ اللّهُ عَلَمْ اللّهُ عَلْمُ اللّهُ عَلْمُ ا

1470. Imrân bin <u>Husain</u> (RAA) narrated, 'A man who had no other property emancipated six of his slaves at the time of his death. Allâh's Messenger sent for them, and after dividing them into three groups, he cast lots among them, set two of them free and kept four in slavery, and spoke very harshly to the man (who emancipated them).'438 Related by Muslim.

١٤٧١ \_ وَعَــنْ سَـفِينَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : «كُنْتُ مَمْلُوكًا لأُمُّ سَلَمَةَ ، فَقَالَتْ : أَعْتِقُكَ وَأَشْتَرِطُ عَلَيْكَ أَنْ تَخْدُمَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا

<sup>437-</sup> Meaning all that he did for him, bringing him up, keeping him, supporting him, caring for him etc.

<sup>438-</sup> This hadîth is evidence that only one third of a dead man's property could be given in his will, to those who are not of his legal heirs.

عشْتَ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَوُادَ ، وَالنَّسَائيُّ ، وَالْحَاكُمُ .

1471. Safinah (RAA) narrated, 'I was a slave of Umm Salamah and she said, 'I shall emancipate you, but on the condition that you serve Allâh's Messenger as long as you live.' Related by Ahmad, Abû Dawûd, An-Nasâ'î and Al-Hâkim.

١٤٧٢ \_ وَعَـــنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّمَا الْوَلاَءُ لِمَنْ أَعَتَقَ». مُتَّفَقٌ عَلَيْهِ ، فِي حَدِيثٍ طَوِيلٍ .

1472. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, "Walâ'439 is (legally) for the manumitter." Agreed upon. It is part of a long Hadîth (refer to hadîth no. 811).

١٤٧٣ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْوَلاَءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ ، لاَ يُبَاعُ وَلاَ يُوهَبُ». رَوَاهُ الشَّافِعِيُّ ، وَصَحَّحَهُ ابْنُ حِبَّانَ ، والْحَاكِمُ ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ بِغَيْرِ هَذَا اللَّفْظِ .

1473. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "The Walâ' (of a manumitted slave) is considered as one's lineage, not to be sold or donated (refer to hadîth no. 984)." Related by Ash-Shâfi'î. Ibn Hibbân and Al-Hâkim graded it as <u>Sahîh</u>. It is also related by Al-Bukhârî and Muslim with different wording

<sup>439.</sup> Walâ' refers to the right of inheriting the property of a manumitted slave after his death. Refer to hadîth no. 811.

## بَابُ الْمُدَبَّرِ، وَالْمُكَاتِب، وَأُمِّ الْوَلَدِ

#### Chapter II: Issues related to al-Mudabbar<sup>440</sup> al-Mukâtib<sup>441</sup> and Umm al-Walad<sup>442</sup>

١٤٧٤ - عَـنْ حَابِـر - رَضِيَ اللَّهُ عَنْهُ - ، أَنْ رَجُلاً مِنَ الآنصَارِ أَعْتَقَ غُلاَمًا لَهُ عَـنْ دُبُـر ، وَلَمْ يَكُنْ لَّهُ مَالٌ غَيْرُهُ ، فَبَلَغَ ذَلكَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : «مَــنْ يَشْتَرِيهِ مِنِّي ؟» فَاشْتَرَاهُ نُعَيْمُ بْنُ عَبْداللَّه بِثَمَانِمَة درْهَم . مُتَّفَقٌ عَلَيْه ، وَفِي لَفَ سَنْ يَشْتَرِيهِ مِنِّي ؟» فَاشْتَرَاهُ نُعَيْمُ بْنُ عَبْداللَّه بِثَمَانِمَة درْهَم . مُتَّفَقٌ عَلَيْه ، وَفِي لَفَ النَّسَائِيِّ : وَكَانَ عَلَيْهِ دَيْنٌ فَبَاعَهُ بِثَمَانِمَة وَرُهِمْ ، فَأَعْطَاهُ ، وَقَالَ : «اقْضِ دَيْنَكَ» .

1474. Jâbir bin 'Abdullâh (RAA) narrated that a man from the Ansâr declared that his slave lad would be free after his death (would be Mudabbar), yet he had no other property. When the Prophet heard of that he said, "Who will buy him from me?" And Nu'aim bin 'Abdullâh bought him for eight hundred Dirhams. Agreed upon.

In a narration by Al-Bukhârî: 'The man became needy,' (so the Prophet took the slave and said...).'

A version by An-Nasa'î says, 'The man had a debt, so the Prophet sold the slave for eight hundred Dirhams and gave him the money and said, "Pay off your debt."

١٤٧٥ — وَعَنْ عَمْرِو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدِّهِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قُـــالَ : «الْمُكَاتَـــبُ عَبْدٌ مَا بَقِيَّ عَلَيْهِ مِنْ مُكَاتَبَتِهِ دِرْهَمْ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنِ ، وَأَصْلُهُ عِنْدَ أَحْمَدَ وَالتَّلاَثَةِ ، وَصَحَّحَهُ الْحَاكِمُ .

1475. 'Amro bin Shu'aib narrated on the authority of his fath-

<sup>440-</sup> A slave who is told by his master that he will be free after his (the master's) death.

<sup>441-</sup> A slave, who makes an agreement with his master to pay him a certain amount of money in return for gaining his freedom.

<sup>442-</sup> This literary means the mother of a child. She is the slave woman, who gives birth to her master's children, who would be born free.

er, on the authority of his grandfather (RAA), that the Messenger of Allâh said, "A slave who entered into an agreement to buy his freedom is still a slave as long as a Dirham of the agreed price remains to be paid." Related by Abû Dawûd with a good chain of narrators. The full hadîth is related by Ahmad and the three Imâms. Al-Hâkim graded it to be <u>Sahîh</u>.

١٤٧٦ \_ وَعَـــنْ أُمِّ سَلَمَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كَانَ لإِحْدَاكُنَّ مُكَاتَبٌ ، وَكَانَ عِنْدَهُ مَا يُؤَدِّي فَلْتَحْتَجِبْ مِنْهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمذِيُّ .

1476. Umm Salamah (RAA) narrated that the Messenger of Allâh said, "When a slave of one of your women has made an agreement to pay for his freedom (i.e. he is a Mukâtib) and can pay the full price, she must veil herself from him." Related by Ahmad and the four Imâms. At-Tirmidhî graded it as Sahîh.

١٤٧٧ \_ وَعَــنْ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - أَنَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْه وَسَـــلَّمَ قَالَ : «يُوْدَى الْمُكَاتَبُ بِقَدْرِ مَا عُتِقَ مِنْهُ دِيَةَ الْحُرِّ ، وَبِقَدْرِ مَا رَقَّ مِنْهُ دِيَةَ الْعَبْدِ». رَوَاهُ أَحْمَدُ ، وَأَبُو دَاوُدَ ، وَ النَّسَائِيُّ .

1477. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "The Diyah (Blood money) of a slave who had made an agreement to buy his freedom (Mukâtib) and had been killed, is paid at the rate paid for a free man (as a Diyah) as much as he has paid of the amount agreed upon, and at the rate paid for a slave as the remainder is concerned."444 Related by Ahmad, Abû Dawûd and An-Nasâ'î.

<sup>443-</sup> This refers to al-Muhâtib who remains under the same rulings, which are applicable to a slave until he pays the full amount. Agreed upon.

<sup>444-</sup> This hadîth seems to be contradictory to the hadîth of 'Amro bin Shu'aib (1461) that a slave 'is still a slave as long as a Dirham of the agreed price remains to be paid.' But most scholars are of the opinion that a Muhâtib is still a slave regarding legal punishments and blood money as long as he still owes his owner one Dirham. Some scholars still believe

١٤٧٨ ــ وَعَـــنُ عَمْــرِو بْـــنِ الْحَارِثِ - أَخِي جُويْرَةَ أُمُّ الْمُؤْمِنِينَ - رَضِيَ اللَّهُ عَـــنْهُمَا - قَالَ : «مَا تَرَكَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ مَوْتِهِ درْهَمًا ، وَلاَ ديـــنَارًا ، وَلاَ عَبْدًا ، وَلاَ أَمَةً ، وَلاَ شَيْئًا ، إِلاَّ بَعْلَتَهُ الْبَيْضَاءَ وَسِلاَحَهُ وَأَرْضًا جَعَلَهَا صَدَقَةً». رَوَاهُ البُخَارِيُّ .

1478. 'Amro bin al-<u>H</u>ârith, the brother of Juwairiyah the mother of Believers (the wife of the Prophet (When Allâh's Messenger (died, he did not leave a Dînâr or a Dirham, a slave or a slave-woman, or anything but his white she-mule, his weapons and a piece of land which he appointed as <u>Sadaqah</u>.' Related by Al-Bukhârî.

١٤٧٩ ـــ وَعَنْ ابْنِ عَبَّاسِ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَيُّمَا أَمَة وَلَـــدَتْ مِـــنْ سَـــيِّدَهَا فَهِيَ حُرَّةٌ بَعْدَ مَوْتِهِ». أَخْرَجَهُ ابْنُ مَاجَةٌ ، وَالْحَاكِمُ بِإِسْنَادٍ ضَعِيفِ ، وَرَجَّحَ حَمَاعَةٌ وَقْفَهُ عَلَى عُمَرَ – رَضِيَ اللَّهُ عَنْهُ – .

1479. Ibn 'Abbâs (RAA) narrated that Allâh's Messenger said, "When a man's slave-woman bears him a child she becomes free at his death." Related by Ibn Mâjah and Al-Hâkim with a weak chain of narrators.

١٤٨٠ ـــ وَعَنْ سَهْلِ بْنِ حُنَيْف - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : قَالَ : «مَنْ أَعَانَ مُجَاهَدُّا فِي سَبِيلِ اللَّهِ ، أَوْ غَارِمًا فِي عُسْرَتِهِ ، أَوْ مُكَاتَبًا فِي رَقَبَتِهِ ، أَظَلَّهُ اللَّهُ يَوْمَ لاَ ظِلِّ إِلاَّ ظِلَّهُ». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ الْحَاكِمُ

1480. Sahl bin <u>H</u>unaif (RAA) narrated that the Messenger of Allâh said, "He who assists a *Mujâhid for* Allâh's sake, a debtor who is in distress (being unable to pay his debt) or a slave who had made an agreement to buy his freedom, Allâh will shade him, with His Shade, on the Day when there will be no shade but His." Related by Ahmad and Al-Hâkim graded it as <u>Sahîh</u>.

that that this is not the case, taking this <u>h</u>adîth as their evidence, but some scholars said that it is abrogated and the first <u>h</u>adîth is the more established one.

## كِتَابُ الْجَامِعِ

#### **Book XVI: The Comprehensive Book**

### بَسابُ الأَدَب

#### Chapter I: Good Manners (Adab)

١٤٨١ ــ عَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ وَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «حَقُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ سِتٌّ : إِذَا لَقِيتَهُ فَسَلَّمْ عَلَيْهِ ، وَإِذَا دَعَاكَ فَأَجْبَهُ ، وَإِذَا اسْتَنْصَحَكَ فَانْصَحْهُ ، وَإِذَا عَطَسَ فَحَمِدَ اللَّهَ فَشَمَّتُهُ ، وَإِذَا مَرِضَ فَعُدْهُ ، وَإِذَا مَاتَ فَاتْبَعْهُ». رَوَاهُ مُسْلِمٌ .

1481. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A Muslim has six duties towards other Muslims: When you meet him, you should salute him; when he invites you, accept his invitation; when he asks for your advice, give it to him; when he sneezes and praises Allâh, say 'May Allâh have mercy on you;' when he is ill, visit him; and when he dies follow his funeral." Related by Muslim.

١٤٨٢ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «انْظُرُوا إِلَى مَنْ هُوَ أَسَفَلَ مِنْكُمْ ، وَلاَ تَنْظُرُوا إِلَى مَنْ هُوَ فَوْقَكُمْ ، فَهُوَ أَجْدَرُ أَنْ لاَ تَزْدَرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ». مُثَّفَقٌ عَلَيْهِ .

1482. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Look at those who are lower than you (financially) but do not look at those who are higher than you, lest you belittle the favors Allâh conferred upon you." Agreed upon.

١٤٨٣ ـــ وَعَـــنْ النَّوَاسِ بْنِ سَمْعَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْبِرُّ وَالإِثْمِ ، فَقَالَ : «الْبِرُّ حُسْنُ الْخُلُقِ ، وَالإِثْمُ مَا حَاكَ فِي صَدْرِكَ ، وَكَرِهْتَ أَنْ يَطَّلِعَ عَلَيْهِ النَّاسُ». أَخْرَجَهُ مُسْلِمٌ . 1483. An-Nawwâs bin Sam'ân (RAA) narrated, 'I asked the Messenger of Allâh about virtue and sin and he replied, "The essence of virtue is (manifested in) good morals (Akhlâq) whereas sinful conduct445 is that which turns in your heart (making you feel uncomfortable) and you dislike that it would be disclosed to other people." Related by Muslim.

١٤٨٤ — وَعَسَنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا كُنْتُمْ ثَلاَئَةً فَلاَ يَتَنَاجَى اثْنَانِ دُونَ الآخَرِ ، حَتَّى تَخْتَلِطُوا بِالنَّاسِ ، مِنْ أَحْلِ أَنَّ ذَلِكَ يُحْزِنُهُ». مُتَّفَقٌ عَلَيْهِ ، وَاللَّفْظُ لِمُسْلِمٍ .

1484. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "When three of you get together in company, two of you must not talk privately while isolating the third, so as not to make him feel sad (that he is left out) till you mingle with other people (i.e. you are joined by others)." Agreed upon and the wording is from Muslim.

١٤٨٥ \_ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يُقِيمُ الرَّجُلُ الرَّجُلَ مِنْ مَحْلِسِهِ ثُمَّ يَحْلِسُ فِيهِ ، وَلَكِنْ تَفَسَّحُوا وَتَوَسَّعُوا». مُتَّفَقٌ عَلَيْه .

1485. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "A man should not ask another man to get up from his place in order to take his seat. But you should make room for each other and spread out." Agreed upon.

١٤٨٦ ــ وَعَنْ ابْنِ عَبَّاسٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا أَكُلُ أَحَدُكُمْ طَعَامًا فَلاَ يَمْسَحْ يَدُهُ حَتَّى يَلْعَقَهَا أَوْ يُلْعِقَهَا». مُتَّفَقٌ عَلَيْهِ .

<sup>445-</sup> A sin could be that action, which should a person commit it, he would be subjected to punishment according to Islâmic Sharî'ah. A sin in this hadith refers to that action, which a person does not feel comfortable about doing, even though it is not explicitly prohibited by the Sharî'ah, it is not definitely lawful or acceptable and one fears that Allâh will punish him for doing it, even if people cannot see him. It is better in this case to avoid it.

1486. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "When one of you eats, he must not wipe his hand till he licks it, or gives it to someone else to lick (such as a wife, husband, etc)446." Agreed upon.

١٤٨٧ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «لِيُسَلِّمَ الصَّغِيرُ عَلَى الْكَبِيرِ ، وَالْمَارُّ عَلَى الْقَاعِدِ ، وَالْقَلِيلُ عَلَى الْكَثِيرِ». مُتَّفَقٌ عَلَيْهِ ، وَفِي رِوَايَةٍ لِمُسْلِمٍ : «وَالرَّاكِبُ عَلَى الْمَاشِي».

1487. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "The young should salute the old, the one who is passing by should salute the one who is sitting, and the small group of people should salute the larger one." Agreed upon.

In a version by Muslim, "And the one who is riding should salute the one who is walking."

١٤٨٨ ــ وَعَــنْ عَلَــيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يُجْزِئُ عَنِ الْحَمَاعَةِ إِذَا مَرُّوا أَنْ يُسَلِّمَ أَحَدُهُمْ ، وَيُجْزِئُ عَنِ الْجَمَاعَةِ أَنْ يَرُدَّ أَحَدُهُمْ». رَوَاهُ أَحْمَدُ ، وَالْبَيْهَقِيُّ .

1488. 'Alî (RAA) narrated that the Messenger of Allâh said, "When a group of people passes by, it is sufficient if one of them gives a salutation, and it is sufficient for those who are sitting that one of them replies."447 Related by Ahmad and Al-Baihaqî.

<sup>446.</sup> The reason for this is explained in another hadith as the Messenger of Allâh said, "You never know which portion of your food is blessed (has Barakah)." It is not meant to be obligatory as most scholars say, rather it is just preferable or recommended for the intended good.

<sup>447-</sup> Greeting with Salâm or responding to Salâm (the Muslim greeting), is a collective duty, thus if one greets or answers the greeting then the obligation or duty is met on behalf of the rest.

١٤٨٩ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَبْدَأُوا الْيَهُودَ وَلاَ النَّصَارَى بِالسَّلاَمِ ، وَإِذَا لَقِيتُمُوهُمْ فِي طَرِيقٍ فَاضْطَرُوهُمْ إِلَى أَضْيَقِهِ». أَخْرَجَهُ مُسْلمٌ .

1489. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Do not initiate the saluting of Jews and Christians (when you meet them), and if you meet any of them on the road, force him to go to the narrowest part of the road (i.e. do not give way for them to pass, but keep going)."448 Related by Muslim.

١٤٩٠ ـــ وَعَنْهُ عَنِ النّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا عَطَسَ أَحَدُكُمْ فَلْيَقُلِ : الْحَمْدُ للَّهِ ، وَلْيَقُلْ لَهُ أَخُوهُ : يَرْحَمُكَ اللَّهُ ، فَإِذَا قَالَ لَهُ : يَرْحَمُكَ اللَّهُ ، فَلْيَقُلْ لَهُ : يَرْحَمُكَ اللَّهُ ، فَلْيَقُلْ لَهُ : يَرْحَمُكَ اللَّهُ ، فَلْيَقُلْ لَهُ : يَهْدِيكُمْ اللَّهُ ، وَيُصْلِحُ بَالكُمْ». أَخْرَحَهُ البُخَارِيُّ .

1490. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When one of you sneezes, he should say, 'Alhamdu-lillâh (Praise is to Allâh) and his (Muslim) brother should say to him, 'Yarhamuka Allâh (May Allâh have mercy on you). When he says this to him (the last phrase), he should reply, 'Yahdîkum Allâh (May Allâh guide you) and grant you well being." Related by Al-Bukhârî.

١٤٩١ - وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَشْرَبَنَّ أَحَدُكُمْ قَائمًا». أَخْرَجَهُ مُسْلمٌ .

1491. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "None of you should drink while standing.449" Rela-ted by Muslim.

<sup>448-</sup> When the Jews used to meet the Prophet in Madinah, they used to say to him 'as-Sâm 'Alaykum', instead of saying 'As-Salamu 'Alaykum'. The word as-Sâm means death in Arabic, so the Jews instead of answering back the salutation of the Muslims, which is peace be upon you, they used to wish the Prophet ideath.

<sup>449-</sup> It is not meant to be prohibited to drink water while standing, rather it is disliked as it is narrated by Ibn 'Abbâs that the Prophet 雲 drank from the well of Zamzam while he was standing.

١٤٩٢ ـــ وَعَـــنْهُ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا اثْتَعَلَ أَحَدُكُمْ فَلْيَبْدَأْ بِالْيَمِينِ ، وَإِذَا نَزَعَ فَلْيَبْدَأْ بِالشَّمَالِ ، وَلْتَكُنْ الْيُمْنَى أَوَّلَهُمَا تُنْعَلُ وَآخِرُهُمَا تُنْزَعُ». مُتَّفَقٌ عَلَيْهِ .

1492. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When one of you puts on his shoes, he should put on the right one first and when he takes them off, he should take off the left one first, so that the right one should be the first to be put on and the last to be taken off." 450 Agreed upon.

١٤٩٣ \_\_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
«لا يَمْــشِ أَحَدُكُــمْ فِــي نَعْلِ وَاحِدَةٍ ، وَلَيْنْعِلْهُمَا جَمِيعًا أَوْ لَيَخْلَعْهُمَا جَمِيعًا».
مُتَّفَقٌ عَلَيْهِ .

1493. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "None of you should walk with one shoe, but should either wear them both or take them both off." Agreed upon.

١٤٩٤ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لاَ يَنْظُرُ اللَّهُ إِلَى مَنْ جَرَّ نُوْبَهُ خُيلاَءَ». مُتَّفَقٌ عَلَيْه .

1494. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Allâh will not look on the Day of Judgment at him who lets his garment drag on the ground out of pride and arrogance." Agreed upon.

١٤٩٥ \_ وَعَــنْهُ - رَضِــيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلُ بِيمِينِهِ ، وَإِذَا شَرِبَ فَلْيَشْرِبْ بِيمِيهِ ، فَإِنَّ السَّيْطَانَ يَأْكُلُ «إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلُ السَّيْطَانَ يَأْكُلُ

<sup>450-</sup> Any honorable act in Islâm is always done with the right hand or starts with the right side, such as salutation, eating getting dressed, making ghusl, combing one's hair. On the other hand, acts like cleaning the private parts after going to the toilet is done with the left hand.

بشمَاله ، وَيَشْرَبُ بِشِمَالِهِ». أَخْرَجَهُ مُسْلِمٌ .

1495. Ibn 'Umar narrated that the Messenger of Allâh said, "When one of you eats he should eat with his right hand, and when he drinks he should drink with his right hand, for the devil eats and drinks with his left hand." Related by Muslim.

١٤٩٦ ــ وَعَـــنْ عَمْرُو بْنِ شُعَيْبِ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمٌ : «كُلْ ، وَاشْرَبْ ، وَالْبُسْ ، وَتَصَدَّقْ فِي غَيْرِ سَرَفٍ وَلاَ مَحِيلَةٍ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَأَحْمَدُ ، وَعَلَّقَهُ البُحَارِيُّ .

1496. 'Amro bin Shu'aib narrated on the authority of his father, on the authority of his grandfather (RAA), that the Messenger of Allâh said, "Eat, drink, wear clothes and give <u>Sadaqah</u> but with neither extravagance nor pride." Related by Abû Dawûd and Ahmad.

## بَابُ الْبِرِّ وَالصِّلَة

# Chapter II: Birr (Piety, righteousness, acts of goodness) and keeping ties with one's kin

١٤٩٧ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ أَحَبُّ أَنْ يُبْسَطَ لَهُ فِي رِزْقِهِ ، وَأَنْ يُنْسَأَ لَهُ فِي أَثَرِهِ ، فَلْيَصِلْ رَحِمَهُ». أَخْرَجَهُ البُخَارِيُّ .

1497. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "He who wishes to have his earnings grow (and be blessed) and his term of life prolonged,<sup>451</sup> he should keep ties with his kin." Related by Al-Bukhârî.

<sup>451-</sup> Not necessarily meaning that he will live extra years, but maybe a more blessed life with more good deeds, leaving behind pious children who will make Du ´a for him etc.

١٤٩٨ \_ وَعَنْ جُبَيْرِ بْنِ مُطْعِمِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ قَاطعٌ» ؛ يَعْني قَاطعَ رَحم ، مُثَّفَقٌ عَلَيْه .

1498. Jubair bin Mut'am (RAA) narrated that the Messenger of Allâh said, "The one who severs the ties of kinship will not enter Paradise." Agreed upon.

١٤٩٩ ــ وَعَنْ الْمُغِيرَةَ بْنِ شُعْبَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَبْهِ وَسَلَّمَ قَالَ : «إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الْأُمَّهَاتِ ، وَوَأْدَ الْبَنَاتِ ، وَمَنْعًا وَهَاتٍ ، وَكَرْمَ لَكُمْ قِيلَ وَقَالَ ، وَكَثْرَةَ السُّؤَالِ ، وَإِضَاعَةَ الْمَالِ». مُتَّفَقٌ عَلَيْهِ .

1499. Al-Mughîrah bin Shu'bah (RAA) narrated that the Messenger of Allâh said, "Allâh has made it prohibited for you to be disrespectful (showing undutiful behavior) to your mothers, to bury your daughters alive, to refuse others (their dues), and to demand things from others (which are not worth demanding), and He hates that you engage in gossip, asking many questions about people's affairs and wasting wealth." Agreed upon.

1500. 'Abdullâh bin 'Amro bin al-'Âs (RAA) narrated that the Messenger of Allâh said, "Allâh's pleasure results from the parent's pleasure, and Allâh's displeasure results from the parent's displeasure." Related by At-Tirmidhî. Ibn Hibbân and al-Hâkim graded it as Sahîh.

١٥٠١ ـــ وَعَنْ أَنسٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ : «وَالَّذِي نَفْسِي بِيَدِهِ لاَ يُؤْمِنُ عَبْدٌ حَتَّى يُحِبَّ لِجَارِهِ مَا يُحِبُّ لِنَفْسِهِ». مُتَّفَقٌ عَلَيْهِ .

1501. Anas (RAA) narrated that the Messenger of Allâh 😤 said, "By Him in Whose Hand my soul is, a slave of Allâh

does not truly believe till he wishes for his neighbor what he wishes for himself." Agreed upon.

٢٠٠٢ — وَعَنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : أَيُّ الذَّنْبِ أَعْظُمُ ؟ قَالَ : «أَنْ تَجْعَلَ لِلَّهِ نِدًّا وَهُوَ خَلَقَكَ». قُلْتُ : ثُمَّ أَيُّ الذَّنْبِ أَعْظُمُ ؟ قَالَ : «أَنْ تُزَانِي أَيُّ ؟ قَالَ : «أَنْ تُزَانِي أَيُّ ؟ قَالَ : «أَنْ تُزَانِي بِحَلِيلَةِ جَارِكَ». ثُمَّ أَيُّ ؟ قَالَ : «أَنْ تُزَانِي بِحَلِيلَةٍ جَارِكَ». مُتَّفَقٌ عَلَيْهِ .

1502. Ibn Mas'ûd (RAA) narrated, 'I asked the Messenger of Allâh : "Which sin is the most serious?" He replied, "To attribute a partner to Allâh, though He Alone has created you." I asked, "What next?" He said, "To kill your child, fearing that he will share your food with you." I asked again, "What next?" He said, "To commit adultery with you neighbor's wife." Agreed upon.

١٥٠٣ ــ وَعَــنْ عَبْداللّه بْنِ عَمْرِو بْنِ الْعَاصِ - رَضِيَ اللّهُ عَنْهُمَا - أَنَّ رَسُولَ اللّه صَـلًى اللّهُ عَلَيْهِ وَسَلّمَ قَالَ : «مِنَ الْكَبَائِرِ شَتْمُ الرَّجُلِ وَالدَيْه» ، قيلَ : وَهَلْ يَسُبُّ الرَّجُلِ وَالدَيْه» ، قيلَ : وَهَلْ يَسُبُّ أَبَا الرَّجُلِ ، فَيَسُبُّ الرَّجُلُ أَبَاهُ ، وَيَسُبُ أُمَّهُ السَّجُ أُمَّهُ أَمَّهُ مَنْهُ مُ اللّهُ عَلَيْه .

1503. Abdullâh bin 'Amro bin al-'Âs (RAA) narrated that the Messenger of Allâh said, "For a man to insult his parents, is one of the major sins." It was asked, 'Does a man insult his parents?' He replied s, "Yes, he insults the father of a man who in return insults his father, and he insults a man's mother who in return insults his." Agreed upon.

١٥٠٤ ـــ وَعَنْ أَبِي أَيُوبَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَــالَ : «لاَ يَحِلُّ لِمُسْلِمٍ أَنْ يَهْجُرَ أَخَاهُ فَوْقَ ثَلاَثَ لَيَالٍ : يَلْتَقِيَانِ ، فَيُعْرِضُ هَذَا ، وَيُعْرِضُ هَذَا ، وَخَيْرُهُمَا الَّذِي يَبْدَأُ بِالسَّلاَمِ». مُتَّفَقٌ عَلَيْه .

1504. Abû Aiyûb (RAA) narrated that the Messenger of Allâh said, "It is not permissible for a Muslim to shun his brother for more than three nights. When they meet, this one

turns away (from that one) and that one turns away (from this one) and the best of them is the one who greets his brother first." Agreed upon.

٥٠٥ ـــ وَعَـــنْ جَابِـــرٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
 وَسَلَّمَ : «كُلُّ مَعْرُوفِ صَدَقَةٌ». أَخْرَجَهُ البُخَارِيُّ .

1505. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh ﷺ said, "Every act of goodness is (considered as) <u>S</u>adaqah." Related by Al-Bukhârî.

١٥٠٦ \_ وَعَـــنْ أَبِي ذَرِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَحْقِرَنُ مِنَ الْمَعْرُوفِ شَيْئًا ، وَلَوْ أَنْ تَلْقَى أَخَاكَ بِوَجْهٍ طَلْقٍ».

1506. Abû Dharr (RAA) narrated that the Messenger of Allâh said, "Do not consider any act of goodness as being insignificant even if it is meeting your brother with a cheerful face." Related by Muslim.

١٥٠٧ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إذًا طَبَخْتَ مَرَقَةً فَأَكْثِرْ مَاءَهَا وَتَعَاهَدْ جِيرَانَكَ». أَخْرَجَهُمَا مُسْلِمٌ .

1507. Abû Dharr (RAA) narrated that the Messenger of Allâh said, "When you make some soup, make a good amount by adding plenty of liquid, and give some to your neighbors." 452 Related by Muslim.

١٥٠٨ — وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَــلَّمَ : «مَنْ نَفَّسَ عَنْ مُسْلِمٍ كُرْبَةً مِنْ كُرَبِ الدُّنْيَا نَفْسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَبِ
يَــوْمِ الْقِــيَامَةِ ، وَمَنْ يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالآخِرَةِ ، وَمَنْ سَتَرَ مُسْلِمًا سَتَرَهُ اللَّهُ فِي الدُّنْيَا وَالآخِرَةِ ، وَمَنْ سَتَرَهُ مُسْلِمًا سَتَرَهُ اللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخْرَجَهُ مُسْلِمٌ .

<sup>452-</sup> This would be compulsory if the neighbors are poor, otherwise it is recommended to be given as a present.

Allâh said, "If anyone relieves a Muslim believer from one of the hardships of this worldly life, Allâh will relieve him of one of the hardships of the Day of Resurrection. If anyone makes it easy for the one who is indebted to him (while finding it difficult to repay), 453 Allâh will make it easy for him in this worldly life and in the Hereafter, and if anyone conceals the faults of a Muslim, Allâh will conceal his faults in this world and in the Hereafter. Allâh helps His slave as long as he helps his brother." Related by Muslim.

1509. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "He who guides (others) to an act of goodness, will have a reward similar to that of its doer." Related by Muslim.

١٥١٠ ـــ وَعَـــنْ ابْـــنِ عُمَرَ - رُضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَنِ اسْتَعَاذَكُمْ بِاللَّهِ فَأَعِيدُوهُ ، وَمَنْ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَنِ اسْتَعَاذَكُمْ بِاللَّهِ فَأَعْطُوهُ ، وَمَنْ أَتَى إِلَيْكُمْ مَعْرُوفًا فَكَافِئُوهُ ، فَإِنْ لَمْ تَجِدُوا فَادْعُوا لَهُ». أَخْرَجَهُ الْبَيْهَقِيُّ .

1510. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "If anyone seeks refuge in Allâh's name, grant him protection; if anyone asks you for something in Allâh's name<sup>454</sup> give him something; and if anyone does you a favor recompense him, but if you do not have the means to do so, make *Du'â* (supplication) for him." Related by Al-Baihaqî.

<sup>453-</sup> He could relieve him of part of the debt, the whole debt or give him more time to repay it.

<sup>454-</sup> Especially those who ask out of dire necessity.

# بَسابُ السزُّهْسدِ وَالْسوَرَعِ

#### Chapter III: Zuhd (Abstinence) and Piety

١٥١١ \_ عَنِ النَّعْمَانِ بْنِ بَشِيرِ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ - وَأَهْوَى النَّعْمَانُ بإصبَّعَيْهِ إِلَى أَذُنَيْهِ - : «إِنَّ الْحَلاَلَ بَسِيِّنٌ ، وَالْحَسرَامَ بَيِّنٌ ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ ، لاَ يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ ، فَمَنِ اتَّقَى الشُّبُهَاتِ فَقَدِد اسْتَبْرَأَ لَدينِه وَعرْضِه ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ : كَالرَّاعِي يَوْعَى حَوْل الْحِمَى يُوشِكُ أَنْ يَقَعَ فِيه ، أَلاَ وَإِنَّ لَكُلٌّ مَلَك حِمَّى ، أَلاَ وَإِنَّ لَكُلٌّ مَلَك حِمَّى ، أَلاَ وَإِنَّ فِي الْحَسَد مُضْغَةً إِذَا صَلَحَتُ صَلَحَ الْجَسَدُ كُلُّهُ ، وَإِذَا حَمَى اللَّهُ مَحَارِمُهُ ، أَلاَ وَإِنَّ فِي الْحَسَد مُضْغَةً إِذَا صَلَحَتُ صَلَحَ الْجَسَدُ كُلُهُ ، وَإِذَا فَسَدَ الْجَسَدُ كُلُهُ ، أَلاَ وَهِيَ الْقَلْبُ». مُتَّفَقٌ عَلَيْهِ .

An-Nu mân bin Bashîr (RAA) narrated, 'I heard Allah's Messenger & saying, (Nu'mân pointed with his two fingers to his ears) 'Both lawful (Halâl) and unlawful things (Harâm) are evident but in between them there are doubtful things455 and most people have no knowledge about them. So he, who saves himself from these doubtful things, saves his religion and his honor (i.e. keeps them blameless). And he who indulges in these doubtful things is like a shepherd who pastures (his animals) near the *Himâ* (private pasture) of someone else and at any moment he is liable to get in it. (O people!) Beware! Every king has a Himâ and the Himâ of Allâh on the earth is what He declared unlawful (Harâm). Beware! In the body there is a piece of flesh if it becomes sound and healthy, the whole body becomes sound and healthy but if it gets spoilt, the whole body gets spoilt and that is the heart." Agreed upon.

١٥١٢ ـــ وَعَـــنْ أَبِـــي هُرَيْرَةَ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «تَعِسَ عَبْدُ الدِّينَارِ وَالدِّرْهَمِ وَالْقَطِيفَةِ ، إِنْ أَعْطِيَ رَضِيَ ، وَإِنْ لَمْ يُعْطَ

<sup>455-</sup> Doubtful here means that it is not clear whether they are definitely <u>H</u>alâl or <u>H</u>arâm.

لُمْ يَرْضَ». أُخْرَجَهُ البُخَارِيُّ .

1512. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Cursed is he, who is the slave of the Dînâr, the slave of the Dirham, and the slave of the cloak bordered with silk. If he is given anything he would be satisfied, but if he is not given anything he is displeased." Related by Al-Bukhârî.

١٥١٣ — وَعَــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : أَخَذَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِمَنْكَبَيَّ ، فَقَالَ : «كُنْ فِي الدُّنْيَا كَأَنْكَ غَرِيبٌ ، أَوْ عَابِرُ سَبِيلٍ». وكَانَ ابْسَنُ عُمَــرَ - رَضِــيَ اللَّهُ عَنْهُمَا - يَقُولُ : إِذَا أَمْسَيْتَ فَلاَ تَنْتَظِرِ الصَّبَاحَ ، وَإِذَا أَمْسَيْتَ فَلاَ تَنْتَظِرِ الْمَسَاءَ ، وَخُذْ مِنْ صِحَّتِكَ لِسَقَمِكَ ، وَمِنْ حَيَاتِكَ لِمَوْتِكَ . أَخْرَجَهُ البُخَارِيُّ .

1513. Ibn 'Umar (RAA) narrated, 'Allâh's Messenger took hold of my shoulders and said, "Be in this world as though you were a stranger or a passerby." Ibn 'Umar used to say, "If you are alive in the evening, do not expect to be alive till the morning and if you are alive in the morning do not expect to be alive till the evening, and take from your health for your sickness, and from your life for your death." Related by Al-Bukhârî.

١٥١٤ ـــ وَعَــــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَشَبَّهَ يِقَوْمٍ فَهُوَ مِنْهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1514. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "He who imitates any people (in their actions) is considered to be one of them." Related by Abû Dawûd and Ibn Hibbân graded it as <u>Sahîh</u>.

<sup>456-</sup> He means that you should make good use of the time when you are healthy as there will be a time when you are sick and you will not be able to do much and the same goes for the time when you are alive, to benefit you when you are dead.

<sup>457-</sup> The hadîth is referring to imitating the disbelievers and those, who are disobedient in their actions, which go against the laws of Islâm, and not simply imitating them, but actually loving these acts.

١٥١٥ ــ وَعَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : كُنْتُ خَلْفَ النَّبِيِّ صَلَّى اللَّهُ عَلَمْ اللَّهُ عَنْهُمَا - قَالَ : كُنْتُ خَلْفَ النَّبِيِّ صَلَّى اللَّهُ عَلَمْ مَا حُفَظِ اللَّهَ يَحْفَظُكَ ، احْفَظِ اللَّهَ تَجِدْهُ تُحِدْهُ تُحِدْهُ تُحَدِّهُ اللَّهَ مَ وَإِذَا اسْتَعَنْتَ فَاسْتَعِنْ بِاللَّهِ». رَوَاهُ التَّرْمِذِيُّ ، وَإِذَا اسْتَعَنْتَ فَاسْتَعِنْ بِاللَّهِ». رَوَاهُ التَّرْمِذِيُّ ، وَقَالَ : حَسنٌ صَحِيحٌ .

1515. Ibn 'Abbâs (RAA) narrated, 'One day I was riding behind the Prophet when he said, "O lad, be mindful of Allâh and He will protect you. Be mindful of Allâh and you shall find Him with you. When you ask (for anything), ask it from Allâh, and if you seek help, seek help from Allâh." Related by At-Tirmidhî who verified it as Hasan and Sahîh.

١٥١٦ ــ وَعَنْ سَهْلِ بْنِ سَعْد - رَضِيَ اللَّهُ عَنْهُ - قَالَ : حَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ ، وَاللَّهُ عَلَى عَمَلٍ إِذَا عَمِلْتُهُ أَحَبَّنِي اللَّهُ ، اللَّهِ ، دُلِّنِي عَلَى عَمَلٍ إِذَا عَمِلْتُهُ أَحَبَّنِي اللَّهُ ، وَأَخْبَنِي النَّهُ ، وَازْهَدْ فِيمَا عِنْدَ النَّاسِ يُحِبَّكَ اللَّهُ ، وَازْهَدْ فِيمَا عِنْدَ النَّاسِ يُحِبَّكَ النَّاسُ». رَوَاهُ ابْنُ مَاحَةُ ، وَعَبْرُهُ ، وَسَنَدُهُ حَسَنٌ .

1516. Sahl bin Sa'd (RAA) narrated, 'A man came to the Prophet and said, "O Allâh's Messenger, direct me to a deed which if I do it, I shall be loved by Allâh and by people." He replied, "If you practice abstinence in this world, Allâh will love you, and if you abstain from (desiring) what people have, they will love you." Related by Ibn Mâjah and others with a good chain of narrators.

١٥١٧ ـــ وَعَنْ سَعْدِ بْنِ أَبِي وَقَاصِ قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «إِنَّ اللَّهَ يُحِبُّ الْعَبْدَ التَّقِيَّ الْغَنِيَّ الْخَفِيَّ». أَخْرَجَهُ مُسْلِمٌ .

1517. Sa'd bin Abî Waqqâs (RAA) narrated, 'I heard Allâh's Messenger saying, "Allâh loves the pious rich man<sup>458</sup> who is inconspicuous (free from showing off or hypocrisy)." Related by Muslim.

<sup>458-</sup> Scholars said that 'rich' here does not necessarily mean material wealth, but rich at heart.

١٥١٨ ــ وَعَــنْ أَبِــي هُرَيْــرَةَ قَــالَ : قَالَ رَسُولُ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ :
 «مِنْ حُسْنِ إِسْلاَمِ الْمَرْءِ تَرْكُهُ مَا لاَ يَعْنِيهِ». رَوَاهُ التّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1518. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A sign of man's good observance of Islâm (his piety) is to keep away from the that which does not concern him." Related by At-Tirmidhî who graded it as <u>Hadîth Hasan</u>.

١٥١٩ ـــ وَعَـــنْ الْمَقْـــدَامِ بْـــنِ مَعْدِ يَكْرِبَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا مَلاَ ابْنُ آدَمَ وِعَاءً شَرًّا مِنْ بَطْنِهِ». أَخْرَحَهُ التِّرْمِذِيُّ ، وَحَسَّنَهُ .

1519. Al-Miqdâm bin Ma'diakrib (RAA), narrated that Allâh's Messenger <u>Hasan</u> said, "A human being has never filled any vessel which is worse than his own belly." Related by At-Tirmidhî, who graded it to be <u>Hasan</u>.

١٥٢٠ \_ وَعَـــنُ أَنَـــسِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «كُـــلُّ بَني آدَمَ خَطَّاءٌ ، وَخَيْرُ الْخَطَّائِينَ التَّوَّابُونَ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَابْنُ مَاجَهُ ، وَسَنَدُهُ قَويٌّ .

1520. Anas (RAA) narrated that Allâh's Messenger <u>Hasan</u> said, "All the sons of Adam are sinners, but the best of sinners are those who repent often." Related by At-Tirmidhî and Ibn Mâjah with a strong chain of narrators.

١٥٢١ ـــ وَعَـــنْ أَنـــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «الصَّـــمْتُ حَكْمَــةٌ ، وَقَلَيلٌ فَاعِلُهُ». أَخْرَجَهُ الْبَيْهَقِيُّ فِي الشُّعَبِ بِسَنَد ضَعِيفٍ ، وَصَحَّحَ أَنَّهُ مَوْقُوفٌ مِنْ قَوْلِ لُقْمَانَ الْحَكِيمِ .

1521. Anas (RAA) narrated that Allâh's Messenger said, "Keeping silent is considered as (an act of) wisdom, but very few practice it." Related by Al-Baihaqî in his book 'Shu'ab al-Imân' with a weak chain of narrators. The sound view is that it is traced back to one of the companions who quoted it from Luqmân Al-Hakîm.

### بَسَابُ التَّسَرُ هِيسِبِ مِسَنْ مَسَسَاوِئِ الأَحْسَلاَقِ Chapter IV: Admonition Against Mischievous Conduct

١٥٢٢ ــ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالْحَسَدَ ، فَإِنَّ الْحَسَدَ يَأْكُلُ الْحَسَنَاتِ كَمَا تَأْكُلُ النَّارُ الْحَطَبَ». أَخْرَجَهُ أَبُو دَاوُدَ .

1522. Abû Hurairah (RAA) narrated that Allâh's Messenger said, "Avoid envy, for envy devours good deeds just as fire devours firewood." Related by Abû Dawûd.

١٥٢٣ ـــ وَلابْنِ مَاجَهُ مِنْ حَدِيثِ أَنْسِ نَحْوُهُ .

1523. Ibn Mâjah related a similar <u>h</u>adîth on the authority of Anas.

١٥٢٤ ــ وَعَــنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لَيْسَ الشَّديدُ بِالصُّرَعَة ، إِنَّمَا الشَّديدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الْغَضَب». مُتَّفَقٌ عَلَيْهِ .

1524. Abû Hurairah (RAA) narrated that Allâh's Messenger said, "The strong man is not the good wrestler; but the strong man is he who controls himself when he is angry." Agreed upon.

١٥٢٥ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «الظُّلْمُ ظُلُمَاتٌ يَومَ القَيَامَة». مُتَّفَقٌ عَلَيْه .

1525. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Oppression will turn into darkness on the Day of Resurrection." Agreed upon.

١٥٢٦ ـــ وَعَـــنْ حابـــر – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : « أَتَّقُوا الظُّلْمَ ، فَإِنَّ الظُّلْمَ ظُلَمَاتٌ يَوْمَ الْفِيَامَةِ ، وَاتَّقُوا الشُّحَّ ، فَإِنَّهُ أَهْلَكَ

مَنْ كَانَ قَبْلُكُمْ». أَخْرَجَهُ مُسْلِمٌ .

1526. Jâbir bin 'Abdullâh (RAA) narrated that the Messenger of Allâh said, "Beware of oppression, for oppression will turn into excessive darkness on the Day of Resurrection; and beware of niggardliness, for niggardliness destroyed your predecessors." Related by Muslim.

١٥٢٧ ـــ وَعَـــنْ مَحْمُودِ بْنِ لَبِيدِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَيْكُمْ السَّرْكُ الأَصْغَرُ : الرَّيَاءُ». اللَّــهُ عَلَـــيْهِ وَسَـــلَّمَ : «إِنَّ أَخَـــُوفُ مُا أَخَافُ عَلَيْكُمْ السَّرْكُ الأَصْغَرُ : الرَّيَاءُ». أَخْرَجَهُ أَحْمَدُ بِإِسْنَادٍ حَسَنٍ .

1527. Mahmûd bin Labîd (RAA) narrated that the Messenger of Allâh ﷺ said, "The thing I fear most for you is the lesser shirk (polytheism), showing-off (of good deeds)." Related by Ahmad with a good chain of narrators.

١٥٢٨ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــــلَّمَ : «آيَـــةُ الْمُنَافِقِ ثَلَاثٌ : إِذَا حَدَّثَ كَذَبَ ، وَإِذَا وَعَدَ أَحَلَفَ ، وَإِذَا ائْتُمِنَ حَانَ». مُتَّفَقٌ عَلَيْهِ .

1528. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "There are three signs of a hypocrite; when he speaks, he tells lies; when he makes a promise, he breaks it; and when he is entrusted, he betrays his trust." Agreed upon.

1529. Al-Bukhârî and Muslim reported another <u>h</u>adîth on the authority of 'Abdullâh bin 'Umar (RAA) with the addition, "and when he quarrels, he is abusive (behaves in a very impudent and insulting manner)."

١٥٣٠ ـــ وَعَـــنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ : «سِبَابُ الْمُسْلِمِ فُسُوقٌ ، وَقِتَالُهُ كُفْرٌ». مُتَّفَقٌ عَلَيْهِ .

1530. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh

said, 'Insulting a Muslim is disobedience to Allâh, and fighting with him is Kufr (disbelief)." Agreed upon.

١٥٣١ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالظَّنَ ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ». مُتَّفَقٌ عَلَيْهِ .

1531. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Avoid suspicion, for suspicion is the most false form of talk." Agreed upon.

١٥٣٢ ــ وَعَنْ مَعْقِلِ بْنِ يَسَارِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «مَا مِنْ عَبْد يَسْتَرْعِيهِ اللَّهُ رَعِيَّةٌ يَمُوتُ يَوْمَ يَمُوتُ وَهُوَ غَاشٌ لِرَعِيَّةٍ إِلاَّ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ». مُتَّفُقٌ عَلَيْهِ .

1532. Ma'qil bin Yasâr (RAA) narrated, 'I heard the Messenger of Allâh saying, "Any governor in charge of Muslim subjects who dies while acting dishonestly towards them will be excluded by Allâh from Paradise." Agreed upon.

١٥٣٣ ـــ وَعَـــنْ عَانشَةَ قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّتِي شَيْئًا فَشَقَّ عَلَيْهِمْ فَاشْقُقْ عَلَيْهِ». أَخْرَجَهُ مُسْلِمٌ .

1533. 'Â'ishah (RAA) narrated that the Messenger of Allâh **%** said, "O Allâh, cause distress to him who has any charge over my people and causes them distress." Related by Muslim.

١٥٣٤ ـــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِذَا قَاتَلَ أَحَدُكُمْ فَلْيَحْتَنب الْوَجْهَ». مُثَّفَقٌ عَلَيْه .

1534. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When any of you fights, he must avoid (striking) the face." Agreed upon.

١٥٣٥ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَجُلاً قَالَ : يَا رَسُولَ اللَّهِ، أَوْصِنِي . قَالَ : «لاَ تَغْضَبُ». أَخْرَجَهُ البُخَارِيُّ .

1535. Abû Hurairah (RAA) narrated, 'A man said, "O Messenger of Allâh, advise me." The Messenger of Allâh said, "Do not get angry." The man repeated that several times and he replied, "Do not get angry." Related by Al-Bukhârî.

١٥٣٦ ـــ وَعَنْ خَوْلَةَ الأَنْصَارِيَّة - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَىٰ عَلَىٰ وَسَلَّمَ : «إِنَّ رِجَالاً يَتَخَوَّضُونَ فِي مَالِ اللَّهِ بِغَيْرِ حَقٍّ ، فَلَهُمُ النَّارُ يَوْمَ اللَّهِ بِغَيْرِ حَقٍّ ، فَلَهُمُ النَّارُ يَوْمَ اللَّهِ مِعَيْرِ حَقٍّ ، فَلَهُمُ النَّارُ يَوْمَ اللَّهِ مِعَيْرِ حَقٍّ ، فَلَهُمُ النَّارُ يَوْمَ الْقَيَامَة». أخْرَجَهُ البُخَارِيُّ .

1536. Khawlah al-Ansâriyah (RAA) narrated that the Messenger of Allâh said, "Some men acquire Allâh's Property (such as the funds of the Muslim state treasury, Zakâh etc) and they will go to Hell on the Day of Resurrection." Related Al-Bukhârî.

١٥٣٧ ـــ وَعَنْ أَبِي ذَرِّ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - فِيمَا يَرْوِيهِ عَنْ رَبِّهِ - قَالَ : «يَا عِبَادِي ، إِنِّي حَرَّمْتُ الظُّلْمَ عَلَى نَفْسِي ، وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّمًا ، فَلا تَظُالُمُوا». أَخْرَجَهُ مُسْلِمٌ .

1537. Abû Dharr (RAA) quoted the Prophet se saying among what he narrated from Allâh, the Most High that He has said, "O My slaves, I have made oppression unlawful for Myself and I have made it unlawful among you, so do not oppress one another." Related by Muslim.

١٥٣٨ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «وَكُرُكُ أَخَاكَ بِمَا قَالَ : «أَتَدْرُونَ مَا الْغِيبَةُ ؟». قَالُوا : اللَّهُ وَرُسُولُهُ أَعْلَمُ . قَالَ : «ذِكُرُكُ أَخَاكَ بِمَا يَكُرُهُ». قِيلَ : أَفَرَأَيْتَ إِنْ كَانَ فِيهِ مَا تَقُولُ فَقَدِ يَكُرُهُ». قِيلَ : أَفَرَأَيْتَ إِنْ كَانَ فِيهِ مَا تَقُولُ فَقَدِ اعْتَبْتَهُ ، وَإِنْ لَمْ يَكُنْ فِيهِ فَقَدْ بَهَتَّهُ». أَخْرَجَهُ مُسْلِمٌ .

1538. Abû Hurairah (RAA) narrated, "The Messenger of Allâh asked, "Do you know what backbiting is?" They replied, 'Allâh and His Messenger know best.' He said, "It is saying something about your brother which he dislikes." Someone asked, 'Supposing that what I said about my brother was true?' and the

Messenger of Allâh said, "If what you say about him is true you have backbitten him and if it is not true you have slandered him." Related by Muslim.

١٥٣٩ ــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَحَاسَدُوا وَلاَ تَنَاجَشُوا ، وَلاَ تَبَاغَضُوا ، وَلاَ تَدَابَرُوا ، وَلاَ يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضُكُمْ عَلَى بَعْدُلُهُ ، وَلاَ يَخْذَلُهُ ، وَلَمَلْهُ مَا اللَّهُ مِنْ أَنْ يَحْقِرَ أَخَاهُ الْمُسْلِمَ ، كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ : دَمُهُ ، وَمَالُهُ ، وَعَرْضُهُ ». أخْرَجَهُ مُسْلَمٌ .

Allâh said, "Avoid jealousy between yourselves, do not outbid one another (with a view to raising the price), do not harbor hatred against one another, do not bear enmity against one another, one of you should not enter into a transaction when the other has already entered into it; and be fellow brothers and slaves of Allâh. A Muslim is a Muslim's brother. He does not wrong, desert or despise him. Piety is found here (pointing three times to his chest), despising his Muslim brother is enough evil for any man to do. Every Muslim's blood, property and honor are unlawful to be violated by another Muslim." Related by Muslim.

١٥٤٠ ـــ وَعَنْ قُطْبَةَ بْنِ مَالِك - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : وَالأَعْمَالِ ، وَالأَهْوَاءِ ، وَالأَخْلاَقِ ، وَالأَعْمَالِ ، وَالأَهْوَاءِ ، وَالأَدْوَاءِ». أَخْرَجَهُ التَّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ ، وَاللَّهْطُ لَهُ .

1540. Qutbah bin Mâlik (RAA) narrated, "The Messenger of Allâh sused to say, "O Allâh, I seek refuge in You from evil morals, deeds, passions and diseases." Related by At-Tirmidhî. Al-<u>H</u>âkim graded it as <u>Sahîh</u> and it is his version.

١٥٤١ ـــ وَعَـــنْ ابْــنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى عَلَى اللَّهِ عَلَى اللَّهُ عَلَى الللّهُ عَلَى اللَ

1541. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "Don't dispute with your brother; don't make jokes with him; and don't make him a promise which you would break." Related by At-Tirmidhî with a weak chain of narrators.

١٥٤٢ ـــ وَعَنْ أَبِي سَعِيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى مُؤْمِنٍ : الْبُخْلُ ، وَسُوءُ الْخُلُقِ». اللَّـــهُ عَلَـــيْهِ وَسَـــلَمَ : «خَصْلُتَانِ لاَ يَحْتَمِعَانِ فِي مُؤْمِنٍ : الْبُخْلُ ، وَسُوءُ الْخُلُقِ». أخْرَجَهُ التَّرْمِذِيُّ ، وَفِي سَنَدِهِ ضَعْفٌ .

1542. Abû Sa'îd al-Khudrî (RAA), narrated that the Messenger of Allâh said, "There are two characteristics which are not combined in a believer; miserliness and bad morals." Related by At-Tirmidhî with a weakness in its chain of narrators.

١٥٤٣ ــ وَعَـــنْ أَبِــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْدِ وَسَـــلَّمَ : «الْمُشْلُومُ». عَلَــيْهِ وَسَـــلَّمَ : «الْمُشْلُومُ أَسْدِهُ مُسْلِمٌ .

1543. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "When two men insult one another, what they say is mainly the fault of the one who began it, so long as the one who is oppressed does not transgress." Related by Muslim.

١٥٤٤ ـــ وَعَـــنْ أَبِــي صِرْمَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَيْهِ». عَلَـــيْهِ وَسَـــلَّمَ : «مَنْ ضَارَّ مُسْلِمًا ضَارَّهُ اللَّهُ ، وَمَنْ شَاقَّ مُسْلِمًا شَقَّ اللَّهُ عَلَيْهِ». أَخْرَجَهُ أَبُو دَاوُدَ ، وَالتِّرْمَذِيُّ ، وَحَسَّنَهُ .

1544. Abû Sirmah (RAA) narrated that the Messenger of Allâh ﷺ said, "He who causes harm to a Muslim will be har-

med by Allâh, and he who acts in a hostile manner against a Muslim, will be punished in the same way by Allâh." Related by Abû Dawûd and At-Tirmidhî who graded it to be <u>H</u>asan (good).

١٥٤٥ ـــ وَعَـــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْه وَسَلَّمَ : «إِنَّ اللَّهَ يُبْغِضُ الْفَاحِشَ الْبَذِيءَ». أَخْرَجَهُ التَّرْمِذِيُّ ، وَصَحَّحَهُ .

1545. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh said, "Allâh hates the profligate and the obscene." Related by At-Tirmidhî who graded it to be <u>Sahîh</u>.

١٥٤٦ ـــ وَلَـــهُ مِنْ حَدِيثِ ابْنِ مَسْعُودِ - رَضِيَ اللَّهُ عَنْهُ - رَفَعَهُ: «لَيْسَ الْمُؤْمِنُ بِالطَّعَّانِ ، وَلاَ اللَّعَّانِ ، وَلاَ الْفَاحِشِ ، وَلاَ الْبَذِيءِ». وَحَسَّنَهُ ، وَصَحَّحَهُ الْحَاكِمُ ، وَرَجَّحَ الدَّارَقُطْنِيُّ ، وَقْفَهُ .

1546. At-Tirmidhî also related on the authority of Ibn Mas'ûd (RAA) that the Messenger of Allâh said, "The believer is not a slanderer, nor does he curse others, and nor is he immoral or shameless." Related by At-Tirmidhî who graded it to be <u>Hasan</u>. Al-<u>H</u>âkim graded it as <u>Sahîh</u> and Ad-Dâraqutnî said that it is most probably <u>Mawqûf</u> (traced only to a Companion).

١٥٤٧ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ تَسَبُّوا الأَمْوَاتَ ، فَإِنَّهُمْ قَدْ أَفْضُوا إِلَى مَا قَدَّمُوا». أَخْرَجَهُ البُخَارِيُّ

1547. 'Â'ishah (RAA) narrated that the Messenger of Allâh said, "Avoid reviling the dead, they have already seen the result of (the deeds) that they forwarded before them." Related by Al-Bukhârî.

١٥٤٨ ـــ وَعَـــنْ حُذَيْفَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ قَتَاتٌ». مُتَّفَقٌ عَلَيْه .

1548. <u>H</u>udhaifah (RAA) narrated that the Messenger of Allâh said, "A backbiter will not enter Paradise." Agreed upon.

١٥٤٩ ـــ وَعَـــنْ أَنـــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ كَفَّ غَضَبَهُ كَفَّ اللَّهُ عَنْهُ عَذَابَهُ». أَخْرَجَهُ الطَّبَرَانِيُّ في الأَوْسَط .

1549. Anas (RAA) narrated that the Messenger of Allâh said, "If one restrained his anger, Allâh will keep His punishment from him (on the Day of Resurrection)." Related by At-Tabarânî in al-Awsat.

1550. The aforementioned <u>h</u>adîth is supported by a narration on the authority of Ibn Umar related by Ibn Abî Ad-Duniâ.

١٥٥١ ـــ وَعَـــنْ أَبِي بَكْرِ الصَّدِّيقِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ الله صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللهِ صَلَّى اللَّهِ عَلْبُ عَلَـــنْهُ وَلَا سَبِّيءَ الْمَلَكَةِ».
 اللَّـــهُ عَلَـــنْهِ وَسَـــلَّمَ : «لاَ يَدْخُلُ الْجَنَّةَ خَبِّ ، وَلاَ بَحِيلٌ ، وَلاَ سَبِّيءَ الْمَلَكَةِ».
 أخْرَجَهُ التِّرْمِذِيُّ ، وَفَرَقَةُ حَدِيثَيْنِ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1551. Abû Bakr a<u>s</u>-<u>S</u>iddîq (RAA) narrated that the Messenger of Allâh said, "A crafty person, a miser and one who badly treats those under his authority will not enter Paradise." Related by At-Tirmidhî in two separate traditions and there is a weakness in its chain of narrators.

١٥٥٢ ـــ وَعَـــنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَسَمَّعَ حَدَيثَ قَوْمٍ ، وَهُمْ لَهُ كَارِهُونَ ، صُبَّ فِي أُذُنَيْهِ الآنْكُ يَوْمَ الْقِيَامَةِ». يَعْنِي : الرَّصَاصُ ، أَخْرَجَهُ البُخَارِيُّ .

1552. Ibn 'Abbâs (RAA) narrated that the Messenger of Allâh said, "If anyone listened to the talk of some people, when they do not like him to do that, then molten led will be poured into his ears on the Day of Resurrection." Related by Al-Bukhârî.

١٥٥٣ ـــ وَعَـــنْ أَنـــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «طُوبَى لِمَنْ شَغَلَهُ عَيْبُهُ عَنْ غَيُوبِ النَّاسِ». أَخْرَجَهُ الْبَزَّارُ بِإِسْنَادٍ حَسَنٍ .

1553. Anas (RAA) narrated that the Messenger of Allâh 🎉

said, "Blessed is he who is preoccupied with his defects rather than those of other people." Related by Al-Bazzâr with a good chain of narrators.

١٥٥٤ \_ وَعَـــنُ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ تَعَاظَمَ فِي تَفْسِهِ ، وَاخْتَالَ فِي مِشْيَتِهِ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». أَخْرَجَهُ الْحَاكِمُ ، وَرِحَالُهُ ثِقَاتٌ .

1554. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said, "Whoever exalts himself and walks proudly; Allâh will be angry with him when he meets Him (on the Day of Resurrection)." Related Al-Hâkim with a reliable chain of narrators.

٥٥٥ — وَعَنْ سَهْلِ بْنِ سَعْد – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْعَجَلَةُ مِنَ الشَّيْطُانِ». أَخْرَجَهُ التّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1555. Sahl bin Sa'd (RAA) narrated that the Messenger of Allâh ﷺ said, "Haste comes from Satan." Related by At-Tirmidhî who graded is as <u>Hasan</u>.

١٥٥٦ \_ وَعَنْ عَائِشَةَ – رَضِيَ اللَّهُ عَنْهَا – قَالَتْ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الشُّؤْمُ سُوءُ الْخُلُق». أَخْرَجَهُ أَخْمَدُ ، وَفِي إِسْنَادِهِ ضَعْفٌ .

1556. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, "Pessimism is part of bad character." Related by Ahmad with a weak chain of narrators.

١٥٥٧ ـــ وَعَـــنْ أَبِـــي الــــدَّرْدَاءِ قَـــالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّعَانِينِ لاَ يَكُونُونَ شُفَعَاءَ ، وَلاَ شُهْدَاءَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ مُسْلِمٌ .

1557. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh ﷺ said, "Men accustomed to cursing will not be intercessors or witnesses on the Day of Resurrection." Related by Muslim.

١٥٥٨ ـــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «مَـــنْ عَيَّرَ أَخَاهُ بِذَنْبٍ لَمْ يَمُتْ حَتَّى يَعْمَلَّهُ». أَخْرَجَهُ التَّرْمِذِيُّ ، وَحَسَّنَهُ ، وَسَنَدُهُ مُنْقَطِعٌ .

1558. Mu'âdh bin Jabal (RAA) narrated that the Messenger of Allâh said, "If anyone disgraces his brother for a sin, he will not die before committing it himself." Related At-Tirmidhî who graded it to be <u>Hasan</u>.

١٥٥٩ ـــ وَعَـــنْ بَهْزِ بْنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدِّهِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «وَيْلٌ لَلَّذِي يُحَدَّثُ فَيَكْذِبُ لِيُضْحِكَ بِهِ الْقَوْمَ ، وَيْلٌ لَهُ ، ثُمَّ وَيْلٌ لَهُ». أَخْرَجَهُ الثَّلاَئَةُ ، وَإِسْنَادُهُ قَوِيٌّ .

1559. Bahz bin <u>Hakîm narrated on the authority of his father</u>, on the authority of his grandfather (RAA) that the Messenger of Allâh said, "Woe to him who lies in his talk to make the people laugh, Woe to him! Woe to him!." Related by the three Imâms with a strong chain of narrators.

١٥٦٠ ـــ وَعَــــنْ أَنسِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «كَفَّارَةُ مَنْ اغْتَبْتَهُ أَنْ تَسْتَغْفِرَ لَهُ». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةَ بِإِسْنَادٍ ضَعِيفٍ .

1560. Anas (RAA) narrated that the Messenger of Allâh said, "The atonement of backbiting a man is to ask Allâh to forgive him." Related by Al-Hârith bin Abû Usâmah with a weak chain of narrators.

١٥٦١ ـــ وَعَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - قَالَتْ : قَالَ رَسُّولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَبْغَضُ الرَّجَالِ إِلَى اللَّهِ الأَلَدُ الْخَصِمِ». أَخْرَجَهُ مُسْلِمٌ .

1561. 'Â'ishah (RAA) narrated that the Messenger of Allâh ﷺ said, "The most despicable amongst people in the sight of Allâh is the ruthless argumentative (person)." Related by Muslim.

### بَسابُ التَّسرُغِيسبِ فِسي مَكَسارِمِ الأُخْسلاُقِ Chapter V: Exhortation to have Good Morals

١٥٦٢ ــ عَــنِ ابْــنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ اللَّهُ عَنْهُ وَسَلَّمَ : «عَلَيْكُمْ بِالصِّدْقِ ، فَإِنَّ الصِّدْقَ يَهْدِي إِلَى البِرِّ ، وَإِنَّ الْبِرَّ يَهْدِي إِلَى الْجَنَّةِ ، وَمَا يَزَالُ الرَّجُلُ يَصْدُقُ ، ويَتَحَرَّى الصِّدْقَ ، حَتَّى يُكْتَبَ عِنْدَ اللَّهِ صِدِّيقًا ، وَإِنَّا كُمْ وَالْكَذَبَ ، فَإِنَّ الْمُحُورِ ، وَإِنَّ الْفُجُورِ ، وَإِنَّ الْفُجُورِ يَهْدِي إِلَى النَّارِ ، وَإِنَّ الْفُجُورَ يَهْدِي إِلَى النَّارِ ، وَمَا يَزَالُ الرَّجُلُ يَكْذَبُ وَيَتَحَرَّى الْكَذَبَ عَنَّى يُكْتَبَ عِنْدَ اللَّهِ كَذَابًا». مُتَّفَقٌ عَلَيْهِ .

1562. Ibn Mas ´ûd (RAA) narrated that the Messenger of Allâh said, "Adhere (you people) to truth, for truth leads to good deeds and good deeds lead to Paradise, and if a man continues to speak the truth and makes truth his object he will be recorded as truthful before Allâh. Avoid (you people) falsehood, for falsehood leads to wickedness and wickedness leads to Hell, and if a man continues to speak falsehood and makes falsehood his object he will be recorded as a liar before Allâh." Agreed upon.

١٥٦٣ \_ وَعَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِيَّاكُمْ وَالظَّنَّ ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ». مُتَّفَقٌ عَلَيْهِ .

1563. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Beware of suspicion, for suspicion amounts to the worst form of lying." Agreed upon.

١٥٦٤ — وَعَــنْ أَبِــي سَعيد الْخُدْرِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ مَا صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِيَّاكُمْ وَالْجُلُوسَ عَلَى الطَّرُقَاتِ». قَالُوا : يَا رَسُولَ اللَّهِ ، مَا لَــنَا بُدُّ مِنْ مَحَالِسَنَا ، تَتَحَدَّثُ فِيهَا . قَالَ : «فَأَمَّا إِذَا أَبَيْتُمْ فَأَعْطُوا الطَّرِيقَ حَقَّهُ». فَــالُوا : وَمَــا حَقَّهُ ؟ قَالَ : «غَضُّ الْبَصَرِ ، وَكَفُّ الأَذَى ، وَرَدُّ السَّلاَمِ ، وَالأَمْرُ بِالْمَعْرُوفِ ، وَالنَّهْيُ عَنِ الْمُنْكَرِ». مُتَّفَقٌ عَلَيْهِ .

1564. Abû Sa'îd al-Khudrî (RAA) narrated that the Messenger

of Allâh said, "Avoid sitting by the road side." The people then said, 'O Allâh's Messenger, we cannot do without those meeting places in which we converse." So he said, "Well, if you insist (on that) give the road its due rights." They asked, 'What are the road's due rights?" He replied, "Lowering your gaze, abstaining from anything offensive, returning salutations, enjoining the right (Ma rûf) and forbidding from evil deeds (Munhar)." Agreed upon.

١٥٦٥ ـــ وَعَـــنْ مُعَاوِيَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُفَقِّهُهُ فِي الدِّينِ». مُتَّفَقٌ عَلَيْهِ .

1565. Mu'âwiyah (RAA) narrated that the Messenger of Allâh said, "When Allâh wishes good for anyone, He bestows upon him the Figh (comprehension) of the religion." Agreed upon.

١٥٦٦ ــ وَعَـــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا مِنْ شَيْءٍ فِي الْمِيزَانِ أَثْقَلُ مِنْ حُسْنِ الْخُلُقِ». أَخْرَحَهُ أَبُو دَاوُدَ ، وَالتِّرْمَذِيُّ وَصَحَّحَهُ .

1566. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh said, "The heaviest thing which will be put on the believer's scale (on the Day of Resurrection) will be good morals." Related by Abû Dawûd and At-Tirmidhî who graded it as <u>Sahîh</u>.

١٥٦٧ ـــ وَعَـــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْحَيّاءُ مِنَ الإِيمَانِ». مُتَّفَقٌ عَلَيْهِ .

1567. Ibn 'Umar (RAA) narrated that the Messenger of Allâh said," <u>Hayâ'</u> (modesty, bashfulness etc.) is a part of Faith." Agreed upon.

١٥٦٨ ـــ وَعَـــنْ ابْنِ مَسْعُودِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّ مِمَّا أَدْرَكَ النَّاسُ مِنْ كَلاَمِ النُّبُوَّةِ الأُولَى : إِذَا لَمْ تَسْتَحِ فَاصْنَعْ مَا شئتَ». أَخْرَجَهُ البُحَارِيُّ .

1568. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "One of the things people have learned from the words of the earliest prophecies is, "If you don't feel any shame, do whatever you like." Related by Al-Bukhârî.

١٥٦٩ ــ وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤْمِنُ الْقَوِيُّ خَيْرٌ وَأَحَبُ إِلَى اللَّهِ مِنَ الْمُؤْمِنِ الضَّعِيفِ ، وَفِي كُلُّ خَيْرٌ ، احْرِصْ عَلَى مَا يَنْفَعُكَ ، وَاسْتَعِنْ بِاللَّهِ ، وَلاَ تَعْجَزْ ، وَإِنْ أَصَابَكَ شَيْءٌ فَلاَ تَقُلْ : لَوْ أَنِّي فَعَلْتُ كَذَا كَانَ كَذَا وَكَذَا ، وَلَكِنْ قُلْ : قَدَّرَ اللَّهُ وَمَا شَاءَ فَعَلَ ، فَإِنْ لَوْ تَفْتُحُ عَمَلَ الشَّيْطَانِ». أَحْرَجَهُ مُسْلِمٌ .

1569. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "A believer who is strong (and healthy) is better and dearer to Allâh than the weak believer, but there is goodness in both of them. Be keen on what benefits you and seek help from Allâh, and do not give up. If anything afflicts you do not say, 'If I had done such and such things, such and such would have happened.' But say, 'Allâh decrees and what He wills He does,' for (the utterance) 'If I had' provides an opening for the deeds of the devil." Related by Muslim.

١٥٧٠ \_ وَعَـــنْ عِيَاضِ بْنِ حِمَارٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَيْهِ وَسَلَّمَ : «إِنَّ اللَّهَ - تَعَالَى - أَوْحَى إِلَيَّ أَنْ تَوَاضَعُوا ، حَتَّى لاَ يَبْغِي أَحَدٌ عَلَى أَحَدٌ عَلَى أَحَدٌ عَلَى أَحَدٌ عَلَى أَحَدٍ ». أَخْرَجَهُ مُسْلِمٌ .

1570. Tyâd bin Himâr (RAA) narrated that the Messenger of Allâh said, "Allâh, the Most High has revealed to me that you (people) should be humble, so that no one transgresses another, or boasts to the other." Related by Muslim.

١٥٧١ ـــ وَعَـــنْ أَبِي الدَّرْدَاءِ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَـــالَ : «مَـــنْ رَدَّ عَـــنْ عِرْضِ أَخِيهِ بِالْغَيْبِ رَدَّ اللَّهُ عَنْ وَجُهِهِ النَّارَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمذيُّ ، وَحَسَّنَهُ .

1571. Abû ad-Dardâ' (RAA) narrated that the Messenger of Allâh said, "If a Muslim defends his brother's honor in his absence, Allâh will protect his face from the fire of Hell on the Day of Resurrection." Related by At-Tirmidhî who graded it to be <u>Hasan</u>.

١٥٧٢ ـــ وَلَأَحْمَدَ مِنْ حَدِيثِ أَسْمَاءً بِنْتِ يَزِيدَ نَحْوُهُ .

1572. Ahmad related a similar hadîth on the authority of Asmâ' the daughter of Yazîd.

١٥٧٣ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَا نَقَصَتْ صَدَقَةٌ مِنْ مَال ، وَمَا زَادَ اللَّهُ عَبْدًا بِعَفْوٍ إِلاَّ عِزًّا ، وَمَا تَوَاضَعَ أَحَدٌ لِلَّهِ إِلاَّ عِزًّا ، وَمَا تَوَاضَعَ أَحَدٌ لِلَّهِ إِلاَّ رَفَعَهُ اللَّهُ - تَعَالَى -». أَخْرَجَهُ مُسْلِمٌ .

1573. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Sadaqah does not decrease property and Allâh increases the honor of him who forgives and no one will humble himself for Allâh's sake except that Allâh raises his status." Related by Muslim.

١٥٧٤ ـــ وَعَـــنْ عَبْدِ اللَّهِ بْنِ سَلاَمٍ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «يَـــا أَيُّهَا النَّاسُ ، أَفْشُوا السَّلاَمَ ، وَصُلُوا الأَرَحَامَ ، وَأَطْعِمُوا الطَّعَامَ ، وَصَلُّوا بِاللَّيْلِ وَالنَّاسُ نِيَامٌ ، تَدْخُلُوا الْجَنَّةَ بِسَلاَمٍ». أَخْرَجَهُ النَّرْمِذِيُّ وَصَحَّحَهُ .

1574. 'Abdullâh bin Salâm (RAA) narrated that the Messenger of Allâh said, "O people, extend greetings (saying Salam to each other), keep relations with your kin, provide food (to people) and pray at night when people are asleep and you will enter Paradise in peace." Related by At-Tirmidhî who graded it as <u>Sahîh</u>.

١٥٧٥ ـــ وَعَـــنْ تَمِيمِ الدَّارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ ؟ قَالَ : عَلَـــيْهِ وَسَلَّمَ : «الدِّينُ النَّصِيحَةُ» - ثَلاَثًا - قُلْنَا : لِمَنْ هِيَ يَا رَسُولَ اللَّهِ ؟ قَالَ : «لِلَّهِ ، وَلِكِتَابِهِ ، وَلِرَسُولِهِ ، وَلاَئِمَّةِ الْمُسْلِمِينَ وَعَامَّتِهِمْ». أَخْرَجَهُ مُسْلِمٌ .

1575. Tamîm ad-Dârî (RAA) narrated that the Messenger of Allâh said, "The religion is Nasîhah." The people said, To whom should it be directed?" He replied, "To Allâh, His Book, His Messenger, to the leaders of the Muslims and to the common folk of the Muslims." Related by Muslim.

١٥٧٦ ـــ وَعَنْ أَبِي هُرَيْرَةَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «أَكْثَرُ مَا يُدْخِلُ الجَنَّةَ تَقْوَى اللَّهِ وَخُسْنُ الْخُلُقِ». أَخْرَجَهُ التَّرْمِذِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1576. Abû Hurairah (RAA) narrated that the Messenger of Allâh ﷺ said, "The fear of Allâh and good morals (Akhlâq) are the two major characteristics which lead to Paradise." Related by At-Tirmidhî and Al-Hâkim graded it as <u>Sahîh</u>.

١٥٧٧ \_ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «إِنَّكُ مُ لاَ تَسَـعُونَ الـنَّاسَ بِأَمْوَالِكُمْ ، وَلَكِنْ لِيَسَعْهُمْ مِنْكُمْ بَسْطُ الْوَجْهِ وَحُسْنُ الْخُلُق». أَخْرَجَهُ أَبُو يَعْلَى ، وَصَحَّحَهُ الْحَاكمُ .

1577. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "You (people) cannot satisfy people with your wealth, but satisfy them with your cheerful faces and good morals." Related by Abû Ya'lâ and Al-Hâkim graded it as <u>Sah</u>îh.

<sup>459-</sup> The word Nasihah refers to sincerity, good advice, well wishing, integrity, doing justice to a person or situation.

<sup>460-</sup> Nasîhah to 'Allâh' means having faith in Allâh, fulfilling all the obligatory duties, abstaining from doing what is prohibited etc.., Nasîhah to His Book means believing in all His revelations and complying with all that is in the Qur'ân. Nasîhah to His Messenger means to believe in him, in the Divine Revelation that was revealed to him, to follow his Sunnah etc., to the leaders of the Muslims by obeying them, giving them sincere advise, helping them etc. Nasîhah to the Muslims means to provide them with good advice, not harming them, guiding them to what is good.

١٥٧٨ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «الْمُؤْمِنُ مِرْآةُ أَخِيهِ الْمُؤْمِنِ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنَ .

1578. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Every believer is the mirror of his brother." Related by Abû Dawûd with a good chain of narrators.

١٥٧٩ ــ وَعَــنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَلَّمَ : «الْمُؤْمِنُ الَّذِي يُخَالِطُ النَّاسَ ، وَيَصْبِرُ عَلَى أَذَاهُمْ خَيْرٌ مِنَ الَّذِي لاَ يُخــالِطُ النَّاسَ وَلاَ يَصِبِرُ عَلَى أَذَاهُمْ». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ ، وَهُوَ عِنْدَ التِّرْمذيِّ إلاَّ أَنَّهُ لَمْ يُسَمِّ الصَّحَابِيَّ .

1579. Ibn Umar (RAA) narrated that the Messenger of Allâh said, "A believer who mixes with people and endures their annoyance is better than the one who does not mix with them and does not endure their annoyance." Related by Ibn Mâjah with a good chain of narrators. At-Tirmidhî reported the hadîth without mentioning the Companion.

١٥٨٠ ـــ وَعَـــنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «اللَّهُــــمَّ كَمْـــا حَسَّـــنْتَ خَلْقِي فَحَسِّنْ خُلُقِي». رَوَاهُ أَحْمَدُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ .

1580. Ibn Mas'ûd (RAA) narrated that the Messenger of Allâh said, "O Allâh You have made my creation perfect, so make my moral characteristics also be the best."

# بَسابُ السذِّكُسرِ وَالسدُّعَساءِ

### Chapter VI: Remembering Allâh and Supplication

١٥٨١ ـــ عَنْ أَبِي هُرَيْرَةً - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «يَقُولُ اللَّهُ - تَعَالَى - : أَنَا مَعَ عَبْدِي مَا ذَكَرَنِي وَتَحَرَّكَتْ بِي شَفَتَاهُ». أَخْرَجَهُ ابْنُ مَاجَهْ ، وَصَحَّحَهُ ابْنُ حبان ، وَذَكَرَهُ البُخَارِيُّ تَعْلِيقًا . 1581. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Allâh, the Most High says: I am with My slave when he remembers Me and his lips move with My mention." Related by Ibn Mâjah and Ibn Hibbân graded it as <u>Sahîh</u>.

١٥٨٢ ـــ وَعَنْ مُعَاذِ بْنِ جَبَلٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَـــلَّمَ : «مَــــا عَمِلَ ابْنُ آدَمَ عَمَلاً أَنْحَى لَهُ مِنْ عَذَابِ اللَّهِ مِنْ ذَكْرِ اللَّهِ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ ، وَالطَّبَرَانِيُّ بِإِسْنَادٍ حَسَنٍ .

1582. Mu'âdh Ibn Jabal (RAA) narrated that the Messenger of Allâh said, "A man does nothing to rescue himself from Allâh's punishment better than remembering Allâh." Related by Ibn Abî Shaibah and At-Tabarânî with a good chain of narrators.

١٥٨٣ — وَعَـــنْ أَبِـــي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَمْ وَسَـــلَّمَ : «مَـــا حَلَسَ قَوْمٌ مَحْلِسًا يَذْكُرُونَ اللَّهَ فِيهِ ، إِلاَّ حَفَّتْهُمُ الْمَلاَئِكَةُ وَغَشِيتُهُمُ الرَّحْمَةُ ، وَذَكَرَهُمُ اللَّهُ فِيمَنْ عِنْدَهُ». أَحْرَجَهُ مُسْلِمٌ .

1583. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "People will not sit in an assembly in which they remember Allâh without the angels surrounding them, mercy covering them, and Allâh mentioning them among those who are with Him." Related by Muslim.

١٥٨٤ ـــ وَعَنْهُ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَــا قَعَدَ قَوْمٌ مَقْعَدًا لَمْ يَذْكُرُوا اللَّهَ فِيهِ وَلَمْ يُصُلُّوا عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلاَّ كَانَ عَلَيْهِمْ حَسْرَةً يَوْمَ الْقِيَامَة». أَخْرَجَهُ التِّرْمِذِيُّ ، وَقَالَ : حَسَنٌ .

1584. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "If people sit in an assembly in which they do not remember Allâh or invoke blessings on the Prophet st, it will be a cause of grief to them on the Day of Resurrection." Related by At-Tirmidhî who graded it as <u>Hasan</u>.

١٥٨٥ ــ وَعَــنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَالَ : لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ، لَهُ الْمُلْكُ ، وَلَمَ اللَّهُ عَلَيْهِ وَسَلَّمَ تَكُلُّ شَيْءٍ قَدِيرٌ ، عَشْرَ مَرَّاتٍ كَانَ كَمَنْ أَعْتَقَ أَرْبَعَةَ أَنْفُسٍ مِنْ وَلَدِ إِسْمَاعِيلَ». مُتَّفَقَ عَلَيْهِ .

1585. Abû Aiyûb al-Ansârî (RAA) narrated, "The Messenger of Allâh said, "Whoever says ten times: 'None has the right to be worshipped except Allâh alone, without partner, to Him belongs all sovereignty and praise. He gives life and causes death. He is over all things, Omnipotent,' will have a reward equivalent to that of emancipating four of the descendants of Ismâ'îl from slavery." Agreed upon.

١٥٨٦ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «مَنْ قَالَ : سُبْحَانَ اللَّهِ وَبِحَمْدِهِ مِئَةَ مَرَّةٍ حُطَّتْ عَنْهُ خَطَايَاهُ وَإِنْ كَانَت مِثْلَ زَبَدِ الْبَحْرِ». مُتَّفَقٌ عَلَيْهِ .

1586. Abû Hurairah (RAA) narrated that the Messenger of Allâh & said, "Whoever says a hundred times, 'How perfect Allâh is and I praise Him,' his sins will be forgiven though they may be as much as the foam of the sea." Agreed upon.

١٥٨٧ ــ وَعَنْ جُوَيْرِيَةَ بِنْتِ الْحَارِثِ - رَضِيَ اللّهُ عَنْهَا - قَالَتْ : قَالَ لِي رَسُولُ اللّه عَنْهَا - قَالَتْ : قَالَ لِي رَسُولُ اللّه صَلّى اللّهُ عَلَيْهِ وَسَلَّمَ : «لَقَدْ قُلْتُ بَعْدَكَ أَرْبَعَ كَلِمَاتِ لَوْ وُزِئَتْ بِمَا قُلْتِ مِنْذُ اللّهِ وَبِحَمْدِهِ ، عَدَدَ خَلْقِهِ ، وَرِضًاءَ نَفْسِهِ ، وَزِئَةَ عَرْشِهِ ، وَمِدَادَ كَلْمَاتِه». أَخْرَجَهُ مُسْلُمٌ .

1587. Juairiyah bint al-Hârith (RAA) narrated, "The Messenger of Allâh ﷺ said to me, "Since leaving you I have said four phrases which if weighed against all you have said today, would prove to be heavier: 'How perfect Allâh is and I praise Him by the amount of His creation and His pleasure, and by the weight of His throne, and the ink of His words." Related by Muslim.

١٥٨٨ — وَعَــنْ أَبِــي سَعِيد الْخُدْرِيِّ – رَضِيَ اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ – قَالَ : قَالَ رَسُولُ اللَّه مَلَّى اللَّهُ عَلَيْهِ وَسَلِّمَ : «الْبَاقِيَاتُ الصَّالِحَاتُ : لاَ إِلَهَ إِلاَّ اللَّهُ ، وَسُبْحَانَ اللَّه ، وَاللَّهُ أَكْــبَرُ ، وَالْحَمْــدُ لِلَّهِ ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللَّهِ». أَخْرَجَهُ النَّسَائِيُّ ، وَصَحَّحَهُ النَّسَائِيُّ ، وَصَحَّحَهُ النَّسَائِيُّ ، وَسَحَّحَهُ النَّسَائِيُّ ، وَصَحَّحَهُ النَّسَائِيُّ ، وَالْحَاكِمُ .

1588. Abû Sa´îd al-Khudrî (RAA) narrated that the Messenger of Allâh said, "The lasting good deeds are: (the saying of) None has the right to be worshipped except Allâh alone, How perfect Allâh is and Allâh is great and all praise is for Allâh, There is no might nor power except with Allâh." Related by An-Nasâ'î. Ibn Hibbân and Al-Hâkim graded it as Sahîh.

١٥٨٩ ــ وَعَنْ سَمُرَةَ بْنِ جُنْدَبِ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَنْهُ عَنْهُ لَا يَضُرُّكَ بِأَيِّهِنَّ بَدَأْتَ : سُبْحَانَ اللَّهِ ، وَالْحَمْدُ لِلَّهِ ، وَلاَ إِلَهَ إِلاَّ اللَّهُ ، وَاللَّهُ أَكْبَرُ». أَخْرَجَهُ مُسْلِمٌ .

1589. Samurah bin Jundub (RAA) narrated that the Messenger of Allâh ﷺ said, "The words dearer to Allâh are four: 'How perfect Allâh is and all praise is for Allâh. None has the right to be worshipped except Allâh alone and Allâh is great.' It does not matter which you say first." Related by Muslim.

١٥٩٠ ـــ وَعَـــنْ أبـــي مُوسَى الأَشْعَرِيِّ قَالَ : قَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «يَا عَبْدَاللَّهِ بْنَ قَيْسٍ ، أَلاَ أَدُلُكَ عَلَى كَنْزٍ مِنْ كُنُوزِ الْجَنَّةِ ؟ لاَ حَوْلَ وَلاَ وَلاَ وَلاَ بِاللَّهِ». مُتَّفَقٌ عَلَيْهِ ، زَادُ النَّسَائِيُّ : «لاَ مَلْجَأَ مِنَ اللَّهِ إِلاَّ إِلَيْهِ».

1590. Abû Mûsâ al-Ash'arî (RAA) narrated that the Messenger of Allâh said to me, "O 'Abdullâh bin Qais, would you like to be guided to one of the treasures of Paradise?" There is no might nor power except with Allâh.' Agreed upon. An-Nasâ'î added in his version, "There is no refuge from Allâh except by turning to Him.'

١٥٩١ ـــ وَعَـــنُ النُّعْمَانِ بْنِ بَشِيرٍ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «إِنَّ الدُّعَاءَ هُوَ الْعِبَادَةُ». رَوَاهُ الأَرْبَعَةُ ، وَصَحَّحَهُ التِّرْمِذِيُّ .

1591. An-Nu'mân bin al-Bashîr (RAA) narrated that the Messenger of Allâh said, "Verily supplication is worship." Related by the four Imâms and At-Tirmidhî graded it as <u>Sahîh</u>.

1592. Anas (RAA) narrated that the Messenger of Allâh ﷺ said, "Supplication is the pith of worship." Related by At-Tirmidhî with a full chain of narrators.

٩٣ ١ ٥ ـــ وَلَهُ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - رَفْعَهُ : «لَيْسَ شَيْءٌ أَكْرَمَ عَلَى اللَّهِ مِنَ الدُّعَاءِ». وَصَحَّحَهُ ابْنُ حَبَّانَ ، وَالْحَاكِمُ .

1593. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Nothing is more honorable before Allâh than supplication." Related by At-Tirmidhî with a full chain of narrators. Ibn Hibbân and Al-Hâkim graded it as Sahîh.

١٥٩٤ \_ وَعَـــنْ أَنَــس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُّولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ : «الدُّعَاءُ بَيْنَ الأَّذَانِ وَالإِقَامَةِ لاَ يُرَدُّ». أَخْرَجَهُ النَّسَائِيُّ وَغَيْرُهُ ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَغَيْرُهُ .

1594. Anas (RAA) narrated that the Messenger of Allâh said, "A supplication made between the Adhân and Iqâmah is never rejected." Related by An-Nasâ'î and others. Ibn Hibbân and others graded it as <u>Sahîh</u>.

١٥٩٥ \_ وَعَــنْ سَلْمَانَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَــلَّمَ : «إِنَّ رَبَّكُــمْ حَيُّ كَرِيمٌ ، يَسْتَحِي مِنْ عَبْدِهِ إِذَا رَفَعَ يَدَيْهِ إِلَيْهِ أَنْ يَرُدَّهُمَا صِفْرًا». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ ، وَصَحَّحَهُ الْحَاكِمُ .

1595. Salmân (RAA) narrated that the Messenger of Allâh said, "Your Rabb (Lord of the Universe) is Modest and Gen-

erous, and would never turn the hands of a slave without gain when he raises them to Him (in supplication)." Related by the four Imâms except An-Nasâ'î. Al-<u>H</u>âkim graded it as <u>Sah</u>îh.

١٥٩٦ ــ وَعَنْ عُمَرَ ~ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : «كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَــيْهِ وَسَــلَّمَ إِذَا مَــدَّ يَدَيْــهِ فِـــي الدُّعَاءِ لَمْ يَرُدَّهُمَا حَتَّى يَمْسَحَ بِهِمَا وَحْهَهُ». أَخْرَجَهُ التِّرْمِذِيُّ ، وَلَهُ شَوَاهِدٌ ، مِنْهَا .

1596. 'Umar (RAA) narrated, 'When the Messenger of Allâh ﷺ raised his hands in supplication, he did not lower them till he wiped his face with them.' Related by At-Tirmidhî. There are other traditions, which support this narration, of which are:

١٥٩٧ \_ حَديـــــــُ ابْــــنِ عَـــبَّاسٍ – رَضِيَ اللَّهُ عَنْهُمَا – عِنْدَ أَبِي دَاوُدَ ، وَغَيْرِهِ ، وَمَحْمُوعُهَا يَقْضِي بِأَنَّهُ حَدِيثٌ حَسَنٌ .

1597. the <u>H</u>adîth narrated by Ibn 'Abbâs (RAA) related by Abû Dawûd and others.Put together, they confirm that it is <u>H</u>asan

١٥٩٨ ــ وَعَنْ ابْنِ مَسْعُود - رَضِيَ اللَّهُ تَعَالَى عَنْهُ - قَالَ : قَالُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيَّ صَلَاةً». اللَّــهُ عَلَــيَّ مَلَاةً». أَوْلَـــي السَّنَاسِ بِي يَوْمَ الْقِيَامَةِ أَكْثَرُهُمْ عَلَيَّ صَلَاةً». أَخْرَجَهُ التِّرْمَذِيُّ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1598. Ibn Mas´ûd (RAA) narrated that the Messenger of Allâh said, "Those who are nearest to me on the Day of Resurrection are those who invoke many blessings on me." Related by At-Tirmidhî and Ibn Hibbân graded it as <u>Sahîh</u>.

١٥٩٩ ــ وَعَنْ شَدَّادِ بْنِ أُوْسٍ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَى عَلَسَيْهِ وَسَــلَّمَ : «سَــيَّدُ الإِسْتَغْفَارِ أَنْ يَقُولَ الْعَبْدُ : اللَّهُمَّ أَنْتَ رَبِّي لاَ إِلَهَ إِلاَّ أَنْتَ خَلَقْتَنِي ، وَأَنَا عَبْدُكَ ، وَأَنَا عَلَى عَهْدكَ وَوَعْدِكَ مَا اسْتَطَعْتُ ، أَعُوذُ بكَ مِنْ شَرِّ مَا صَـنَعْتُ ، أَبُوءُ لَكَ بِنَعْمَتكَ عَلَيَّ وَأَبُوءُ لَكَ بِذَنْبِي فَاغْفِرْ لِي ، فَإِنَّهُ لاَ يَغْفِرُ الذُّنُوبِ صَــنَعْتُ ، أَجُوءُ لَكَ بِنَعْمَتكَ عَلَيَّ وَأَبُوءُ لَكَ بِذَنْبِي فَاغْفِرْ لِي ، فَإِنَّهُ لاَ يَغْفِرُ الذُّنُوبِ إلاَّ أَنْتَ». أخْرَجَهُ البُخَارِيُّ .

1599. Shaddad bin Aus (RAA) narrated that the Messenger of

Allâh said, "The best manner of asking for forgiveness is to say: "O Allâh! You are my Lord. None has the right to be worshipped except You. You created me and I am Your servant and I abide by Your covenant and promise as best I can. I seek refuge in You from the evil, which I have committed. I acknowledge Your favor upon me and I knowledge my sins, so forgive me, for verily none can forgive sin except You." Related by Al-Bukhârî.

١٦٠٠ ــ وَعَنْ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : لَمْ يَكُنْ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَّهِ اللَّهُ عَنْهُما أَوْ فَالَّ : لَمْ يَكُنْ رَسُولُ اللَّه صَلَّى اللَّهُ عَلَّهِ وَسَلَّمَ يَدَعُ هَوُلاَءِ الْكَلِمَاتِ حِينَ يُمْسِي ، وَحِينَ يُصْبِحُ : «اللَّهُمَّ إِنَّي أَسْأَلُكَ الْعَافِيةَ فِي دِينِي ، وَدُنْيَايَ ، وَأَهْلِي وَمَالِي ، اللَّهُمَّ اسْتُرْ عَوْرَاتِي ، وَآمِنْ رَوْعَاتِي ، وَاحْفَظْ بِي مِنْ بَيْنِ يَدَيَّ ، وَمِنْ خَلْفِي ، وَعَنْ يَمِينِي ، وَعَنْ شَمَالِي ، وَمِنْ فَوْقِي ، وَاحْفَظ بِي مِنْ بَيْنِ يَدَيَّ ، وَمِنْ فَوْقِي ، وَاحْدَهُ النَّسَائِيُّ ، وَآبُنُ مَاجَهْ ، وَصَحَّحَهُ وَأَعُدِي مُنْ اللَّهُ مَا حَهْ ، وَصَحَّحَهُ النَّسَائِيُّ ، وَأَبْنُ مَاجَهْ ، وَصَحَلَّهُ النَّسَائِيُّ ، وَأَبْنُ مَاجَهْ ، وَصَحَّحَهُ النَّسَائِيُ ، وَأَبْنُ مَاجَهْ ، وَصَحَرَّحَهُ النَّسَائِيُ ، وَأَبْنُ مَاجَهْ ، وَصَحَرَّحَهُ النَّسَائِيُ ، وَأَبْنُ مَا حَالًا مِنْ اللَّهُ عَلَى مِنْ اللَّهُ الْنَاسَائِي ، وَالْمَوْ الْمَائِيْ اللَّهُ الْنَصَائِي ، وَالْمَوْ مِنْ الْعَالِي ، وَالْمَعْ مَاعِهُ ، وَسَعَرْ مُ الْمَائِقُ ، وَالْمَعْ مُنْ مُنْ اللَّهُ مِنْ الْمَائِقُ مُ اللَّهُ الْمَائِقُ مُ الْمَائِقُ مُ الْمَائِقُ ، وَالْمَعْ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُولِي اللَّهُ اللَّهُ اللَّهُ الْمَائِقُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمَائِقُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللْمُولِقُ اللَّهُ الللْهُ اللَّهُ اللَّهُ اللَّهُ اللللَّهُ الللَّهُ الللَّهُ اللَّهُ الللْهُ اللَّهُ اللللَّهُ اللللْهُ اللَّهُ اللْهُ اللَّهُ الللْهُ الللَّهُ الْ

1600. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh 's never failed to say these words in the morning and the evening: "O Allâh! I ask You for pardon and well-being in my religious and worldly affairs, and my family and my wealth. O Allâh! Cover my weaknesses and set at ease my dismay. O Allâh! Preserve me from the front and from behind and on my right and on my left and from above, and I seek refuge with You lest I be swallowed up by the earth." Related by An-Nasâ'î and Ibn Mâjah. Al-Hâkim graded it as Sahîh.

١٦٠١ — وَعَـــنْ ابْنِ عُمرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْتِكَ ، وَتَحَوُّلُ عَافِيَتِكَ ، وَتَحَوُّلُ عَافِيَتِكَ ، وَتَحَوُّلُ عَافِيَتِكَ ، وَخَمِيعِ سَخَطِكَ». أَخْرَجَهُ مُسْلِمٌ .

1601. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh wed to supplicate saying, "O Allâh! I seek refuge in You from the withholding of Your favor, the decline of the good health You have given, the suddenness of Your vengeance and from all forms of Your wrath." Related by Muslim. ١٦٠٢ \_ وَعَــنْ عَــبْداللَّه بْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ : كَانَ رَسُولُ اللَّهِ صَـــلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ : «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ غَلَبَةِ الدَّيْنِ ، وَغَلَبَةِ الْعَدُوِّ ، وَشَمَاتَةِ الأَعْدَاءِ». رَوَاهُ النَّسَائِيُّ ، وَصَحَّحَهُ الْحَاكِمُ .

1602. Ibn 'Umar (RAA) narrated, 'The Messenger of Allâh seused to say, 'O Allâh! I seek refuge in You from the burden of debts and from being over-powered by men and from the gloating of enemies (at an evil I am afflicted with)." Related by An-Nasâ'î and Al-Hâkim graded it as Sahîh.

١٦٠٣ \_ وَعَــنْ بُرَيْدَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : سَمِعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُــلاً يَقُولُ : اللَّهُمَّ إِنِّي أَسْأَلُكَ بِأَنِي أَشْهَدُ أَنَّكَ أَنْتَ اللَّهُ لاَ إِلهَ إِلاَّ أَنْتَ ، الأَحَدُ الصَّمَدُ ، اللَّذِي لَمْ يَلِدْ ، وَلَمْ يُولَدْ ، وَلَمْ يَكُنْ لَهُ كُفُوا أَحَدٌ ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهُ باسْمِهِ الذِي إِذَا سُئِلَ بِهِ أَعْطَى ، وَإِذَا دُعِيَ بِهِ اللَّهُ بَاسْمِهِ الذِي إِذَا سُئِلَ بِهِ أَعْطَى ، وَإِذَا دُعِيَ بِهِ أَجَابَ». أَخْرَجَهُ الأَرْبَعَةُ ، وَصَحَّحَهُ ابْنُ حَبَّانَ .

1603. Buraidah (RAA) narrated, 'The Messenger of Allâh keard a man saying: 'O Allâh! I ask You by virtue that I testify that You are Allâh; there is no God but You, the one – the Self Sufficient Master, Who did not beget and was not begotten, and to Whom no one is equal.' Allâh's Messenger then said, "He has asked Allâh by His Name by which when asked, He gives, and by which when supplicated, He answers." Related by the four Imâms and Ibn Hibbân graded it as Sahîh.

١٦٠٤ ــ وَعَــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَنْهُ وَسَلَّمَ إِذَا أَصْبَحَ يَقُولُ : «اللَّهُمَّ بِكَ أَصْبَحْنَا ، وَبِكَ أَصْبَيْنَا ، وَبِكَ نَحْيَا ، وَبِكَ نَحْيَا ، وَبِكَ نَصْبَحْ نَا ، وَبِكَ أَصْبَحْ نَا ، وَبِكَ أَصْبَحْ نَا ، وَبِكَ نَحْ فَيَا ، وَبِكَ نَصْبَحْ نَا أَنْهُ قَالَ : «وَإِلَيْكَ نَمْ لَكَ ، إِلاَّ أَنَّهُ قَالَ : «وَإِلَيْكَ النَّصْبَرُ». أَخْرَجَهُ الأَرْبَعَةُ .

1604. Abû Hurairah (RAA) narrated, 'Allâh's Messenger \$\mathbb{x}\$ would say in the morning, "O Allah! By Your leave we have reached the morning and by Your leave we have reached the evening. By Your leave we live and die. Unto You is our

resurrection." In the evening, he would say the same except the last phrase: "and to You do we return." Related by the four Imâms.

١٦٠٥ — وَعَـــنْ أَنـــسِ قَالَ : كَانَ أَكْثَرُ دُعَاءِ رَسُولِ اللّهِ صَلّى اللّهُ عَلَيْهِ وَسَلّمَ :
 «رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً ، وَفِي الآخِرَةِ حَسَنَةً ، وَقِنَا عَذَابَ النّارِ». مُتَّفَقٌ عَلَيْهِ .

1605. Anas (RAA) narrated, "The Messenger of Allâh sided to supplicate frequently: "O our Lord, grant us the best in this life and the best in the next life, and protect us from the punishment of the Fire." Agreed upon.

الله عَلَيْه وَسَلَّمَ يَدْعُو : «اللَّهُمَّ اغْفِرْ لِي خَطِيئتِي ، وَجَهْلِي وَإِسْرَافِي فِي أَمْرِي ، وَمَا اللَّهُ عَلَيْه وَسَلَّمَ يَدْعُو : «اللَّهُمَّ اغْفِرْ لِي خَطِيئتِي ، وَجَهْلِي وَإِسْرَافِي فِي أَمْرِي ، وَمَا أَنْتَ أَعْلَمُ بِهِ مِنِّي ، اللَّهُمَّ اغْفِرْ لِي جَدِّي وَهَزْلِي ، وَخَطَئِي وَعَمْدِي ، وَكُلُّ ذَلِكَ عَلَيْب وَمَا أَسْرَرْتُ ، وَمَا أَسْرَرْتُ ، وَمَا أَعْلَنتُ ، وَمَا أَشْرَرْتُ ، وَمَا أَعْلَنتُ ، وَمَا أَعْلَمُ بِه مِنِّي ، أَنْتَ الْمُقَدِّمُ ، وَأَنْتَ الْمُوَخِّرُ ، وَأَنْتَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ».

1606. Abû Mûsâ al-Ash'arî (RAA) narrated, "The Messenger of Allâh sused to supplicate, "O Allâh, forgive me my faults, my ignorance, my immoderation in my concern. And You are better aware (of my affairs) than myself. O Allâh, grant me forgiveness (of the faults which I committed) seriously or otherwise (and which I committed) inadvertently and deliberately. All these (failings) are in me. O Allâh, grant me forgiveness from the faults, which I did in haste or deferred, which I committed in privacy or in public and You are better aware (of them) than myself. You are the First and the Last and over all things You are Omnipotent." Agreed upon.

١٦٠٧ ـــ وَعَـــنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَـــيْهِ وَسَــــلَّمَ يَقُولُ : «اللَّهُمَّ أَصْلِحْ لِي دِينِي الَّذِي هُوَ عِصْمَةُ أَمْرِي ، وَأَصْلِحْ لِي دُنْيَايَ الَّتِي فِيهَا مُعَاشِي ، وُأَصْلِحُ لِي آخِرَتِي الَّتِي إِلَيْهَا مَعَادِي ، وَاجْعَلِ الْحَيَاةَ زِيَادَةً لِي فِي كُلِّ خَيْرٍ ، وَاجْعَلِ الْمَوْتَ رَاحَةً لِي مِنْ كُلِّ شَرِّ». أَخْرَجَهُ مُسْلِمٌ .

1607. Abû Hurairah (RAA) narrated that the Messenger of Allâh wused to say, "O Allâh! Set right for me my religion, which is the safeguard of my affairs. And set right for me the affairs of the world wherein is my living. Decree the Hereafter to be good for me. And make this life, for me, (a source) of abundance for every good and make my death (a source) of comfort to me and protection against every evil." Related by Muslim.

١٦٠٨ ـــ وَعَـــنْ أَنَس - رَضِيَ اللَّهُ عَنْهُ - قَالَ : كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَـــلَّمَ يَقُـــولُ : «اللَّهُمَّ انْفَعْنِي بِمَا عَلَّمْتِنِي ، وَعَلَّمْنِي مَا يَنْفَعَنِي ، وَارْزُقْنِي عِلْمًا يَنْفَعْنِي». رَوَاهُ النَّسَائِيُّ ، وَالْحَاكِمُ .

1608. Anas (RAA) narrated that the Messenger of Allâh sused to say, "O Allâh! Grant me benefit in what You have taught me, and teach me useful knowledge and provide me with knowledge that will benefit me." Related by An-Nasâ'î and Al-Hâkim.

١٦٠٩ ـــ وَلِلـــتُرْمِذِيِّ مِـــنْ حَدِيثِ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - نَحْوُهُ ، وَقَالَ فِـــي آخِرِهِ : «وَزِدْنِي عِلْماً ، الْحَمْدُ لِلَّهِ عَلَى كُلِّ حَالٍ ، وَأَعُوذُ بِاللَّهِ مِنْ حَالِ أَهْلِ النَّارِ». وَإِسْنَادُهُ حَسَنٌ .

1609. At-Tirmidhî reported a similar tradition on the authority of Abû Hurairah(RAA), he said at its end, "And increase my knowledge. Praise be to Allâh in all circumstances. I seek refuge in Allâh from the state of those who will go to Hell." Its chain of narrators is good.

١٦١٠ ــ وَعَـــنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَّمَهَا هَـــذَا الدُّعَاءَ : «اللَّهُمَّ إِنِّي أَسْأَلُكَ مِنَ الْخَيْرِ كُلَّهِ عَاجِلِهِ وَآجِلِهِ ، مَا عَلِمْتُ مِنْهُ وَمَا لَــمْ أَعْلَمْ ، وَأَعُوذُ بِكَ مِنَ الشَّرِّ كُلَّهِ عَاجِلِهِ وَآجِلِهِ ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ ،
 لَـــمْ أَعْلَمْ ، وَأَعُوذُ بِكَ مِنَ الشَّرِّ كُلَّهِ عَاجِلِهِ وَآجِلِهِ ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ ،

اللَّهُ ــمَّ إِنِّي أَسْأَلُكُ مِنْ خَيْرِ مَا سَأَلُكَ عَبْدُكَ وَنَبِيُكَ ، وَأَعُوذُ بِكَ مِنِ شَرِّ مَا عَاذَ مِنْهُ عَبْدُكَ وَنَبِيُكَ ، وَأَعُوذُ بِكَ مِنْ فَوْل أَوْ عَمَلٍ ، وَأَعُوذُ عَبْدُكَ وَنَبِيُكَ ، اللَّهُمَّ إِنِّي أَسْأَلُكَ الْحَنَّةَ ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْل أَوْ عَمَلٍ ، وَأَعُوذُ بِلَكَ مَــنَ النَّارِ ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْل أَوْ عَمَلٍ ، وَأَسْأَلُكَ أَنْ تَحْعَلَ كُلُّ قَضَاءٍ فَضَاءً فَضَاءً لَكُ اللَّهَ اللهُ مَاجَةً ، وَصَحَقَّحَهُ ابْنُ حَبَّانَ ، وَالْحَاكِمُ .

1610. 'Â'ishah (RAA) narrated, 'Allâh's Messenger taught her this supplication, "O Allâh! I ask You of all good of what I have done and what I have not done in this world and in the Hereafter. I seek refuge in You from the evil of what I have done and what I have not done in this world and in the Hereafter. O Allâh! I ask of You all good that Your servant and Prophet Muhammad used to ask of You. I seek refuge in You from all evil that Your servant and Prophet Muhammad used to seek refuge in You from. O Allâh! I ask You for Paradise and what brings me nearer to it of deeds and sayings. I seek refuge in You from Hell-Fire and what brings me near to it of deeds and sayings. I ask You for the good consequences of Your Decree." Related by Ibn Mâjah Ibn Hibbân and Al-Hâkim graded it as Sahîh.

١٦١١ ــ وَأَخَــرَجَ الشَّيْخَانِ عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : «كَلمَتَانِ حَبِيبَتَانِ إِلَى الرَّحْمَنِ ، خَفِيفَتَانِ عَلَى اللَّسَانِ ، ثَقِيلَتَانِ فِي الْمَيزَانِ : سُبْحَانَ اللَّهِ وَبِحَمْدِهِ ، سُبْحَانَ اللَّهِ الْعَظِيمِ».

1611. Abû Hurairah (RAA) narrated that the Messenger of Allâh said, "Two phrases which are dear to the Compassionate One and are light on the tongue but heavy in the scale are: "How perfect Allâh is and I praise Him; and How perfect Allâh is the Most Great." Agreed upon.

تَمَّ بِحَمْدِ اللَّهِ

#### Dar Al-Manarah

For Translation, Publishing& Distribution El-Mansoura – Egypt -Tel Fax: 002050 / 2030254 Hand phone: 012 / 3605049 – P.O.BOX:35738 E. mail: almanarah400@hotmail.com

Dar Al Kotob Library Number: 2003 / 7157

I.S.B.977 - 6005 - 24 - 1